

**HOMELAND SECURITY:
THE 9/11 COMMISSION AND THE COURSE AHEAD**

**HEARING
BEFORE THE
SELECT COMMITTEE ON HOMELAND
SECURITY
HOUSE OF REPRESENTATIVES
ONE HUNDRED EIGHTH CONGRESS**

SECOND SESSION

SEPTEMBER 14, 2004

Serial No. 108-56

Printed for the use of the Select Committee on Homeland Security



Available via the World Wide Web: <http://www.gpoaccess.gov/congress/index.html>

U.S. GOVERNMENT PRINTING OFFICE
25-549 PDF

WASHINGTON : 2006

For sale by the Superintendent of Documents, U.S. Government Printing Office
Internet: bookstore.gpo.gov Phone: toll free (866) 512-1800; DC area (202) 512-1800
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C O N T E N T S

	Page
STATEMENTS	
The Honorable Christopher Cox, a Representative in Congress From the State of California, and Chairman, Select Committee on Homeland Security	1
The Honorable Dave Camp, a Representative in Congress From the State of Michigan	20
The Honorable Benjamin L. Cardin, a Representative in Congress From the State of Maryland	39
The Honorable Donna M. Christensen, a Delegate in Congress From the U.S. Virgin Islands	32
The Honorable Peter A. DeFazio, a Representative in Congress From the State of Oregon	42
The Honorable Norman D. Dicks, a Representative in Congress From the State of Washington	20
The Honorable Jennifer Dunn, a Representative in Congress From the State of Washington	21
The Honorable Bob Etheridge, a Representative in Congress From the State of North Carolina	51
The Honorable Barney Frank, a Representative in Congress From the State of Massachusetts	28
The Honorable Kay Granger, a Representative in Congress From the State of Texas	37
The Honorable Sheila Jackson-Lee, a Representative in Congress From the State of Texas	20
The Honorable Nita M. Lowey, a Representative in Congress From the State of New York	44
The Honorable Edward J. Markey, a Representative in Congress From the State of Massachusetts	35
The Honorable Eleanor Holmes Norton, a Delegate in Congress From the District of Columbia	21
The Honorable Bill Pascrell, Jr., a Representative in Congress From the State of North Carolina	4
The Honorable John B. Shadegg, a Representative in Congress From the State Arizona	41
The Honorable Christopher Shays, a Representative in Congress From the State of Connecticut	27
The Honorable John E. Sweeney, a Representative in Congress From the State New York	30
The Honorable Bennie G. Thompson, a Representative in Congress From the State of Mississippi	2
WITNESS	
The Honorable Tom Ridge, Secretary, Department of Homeland Security:	
Oral Statement	4
Prepared Statement	8
FOR THE RECORD	
Questions and Responses Submitted:	
Responses from the Honorable Tom Ridge	54

HOMELAND SECURITY: THE 9/11 COMMISSION AND THE COURSE AHEAD

Tuesday, September 14, 2004

HOUSE OF REPRESENTATIVES,
SELECT COMMITTEE ON HOMELAND SECURITY,
Washington, DC.

The committee met, pursuant to call, at 2:08 p.m., in Room 2318, Rayburn House Office Building, Hon. Christopher Cox [chairman of the committee] presiding.

Present: Representatives Cox, Dunn, Shays, Camp, Diaz-Balart, King, Linder, Shadegg, Souder, Granger, Sweeney, Turner, Thompson, Markey, Dicks, Frank, Harman, Cardin, DeFazio, Lowey, Andrews, Norton, McCarthy, Jackson-Lee, Pascrell, Christensen, Etheridge, Lucas, and Meek.

Chairman COX. [Presiding.] The Select Committee on Homeland Security will come to order.

Pursuant to notice, the committee will proceed today to hear testimony from the secretary of the department, Tom Ridge—

Mr. THOMPSON. Mr. Chairman?

Chairman COX. —on the Department of Homeland Security's response to the 9/11 Commission recommendations.

The gentleman from Mississippi?

Mr. THOMPSON. Motion for unanimous consent that opening statements be limited to the chair and ranking member.

Chairman COX. Is there objection? Without objection, so ordered.

Secretary Ridge, we welcome you once again to this committee, which is uniquely devoted to the department's mission: protecting the United States of America from terrorist attack on our soil.

I know that you are sincere when you say you appreciate being here because you do not appreciate to an equal extent having to go to 88 committees and subcommittees in the House and in the Senate.

We have lots of ground to cover this afternoon. I will be very brief so we can move directly to our members' questions.

We have just observed the third anniversary of the September 11 attacks. The memory is as raw as it ever was.

Just a few weeks ago, in late July, the 9/11 Commission issued its long-awaited report. In its wake, we find ourselves compelled to focus our attention on the commission's recommended reforms. That is the lens through which we in the Congress will in the immediate future view the horrific story of the 9/11 attacks themselves. That is not a bad thing because it demonstrates that we are

focused on prevention, as we on this committee have always been focused.

The objective of all of our efforts, of all reforms of the bureaucratic structures and processes that have burdened and balkanized our federal intelligence and law enforcement agencies, is to render this ability that the terrorists have had to succeed in destroying our country far, far more difficult than it was three years ago.

Because the remarkable thing about the 9/11 attacks was how simple it was for a motley assortment of suicidal terrorists to brush past our defenses. That has changed. And I am confident of further and more significant changes in the near future.

To date, though, the biggest change has been creation of the Department of Homeland Security, focused on a disparate array of over 22 formerly separate federal agencies and enterprises, on a new overriding mission: protecting us, our territory and our way of life.

This committee has, ever since its inception, sought to encourage those who lead these efforts to greater and larger successes in meeting that central challenge to our civilization.

But today, in the midst of a welter of well-meant but mutually exclusive proposals to reform our intelligence community and the Congress itself, we have a fundamental question to ask you, Mr. Secretary. And I am sure it will come up in a wide variety of factual contexts this afternoon.

How does the Department of Homeland Security fit into the grand plan that the president has proposed? What is its unique contribution to ensuring our security?

It is superfluous to add that we look forward to your testimony, and an understatement to note that we are grateful for your unstinting service.

At this time, I recognize the gentleman from Mississippi for any opening statement that he might have.

Mr. THOMPSON. Thank you, Mr. Chairman.

Thank you, Mr. Secretary, for being here with us, for all your exceptional service over the past three years.

Mr. Secretary, as you know, there is strong bipartisan support for your department. Every member of this committee wants your department to succeed. And we strongly support virtually all of the initiatives that you have launched over the past 18 months.

Our differences arise with respect to the speed and scope of the administration's homeland security program. We realize that you cannot snap your fingers and instantly achieve all the security that our times demand. Yet we continue to have glaring gaps in our homeland security that could be addressed through a more aggressive and robust effort by the administration.

Let me mention a few examples.

Chemical plants have been characterized as prepositioned weapons of mass destruction. Yet the department has visited only a couple of dozen of the hundreds of chemical plants that present a serious threat to their surrounding communities.

There has not been a single hearing in this House of Representatives on the administration's proposal to strengthen security at these plants.

Clearly, if this legislation were a priority for the administration, this bill would have passed the House long ago.

Stopping a nuclear and radiological weapon from entering the United States should be our greatest homeland security priority. However, your department's program to install technology to screen cargo container for these materials is woefully behind schedule.

Radiation portal monitors would not be installed at all of our sea ports by December 2004 as promised. And under the current budget, it may be years before these devices are available on the southern borders. This is unacceptable.

The 9/11 Commission identified the failure to screen air cargo as a serious vulnerability in our aviation security system.

In response to the events in Russia, your department ordered that all air cargo be screened for flights to and from that country. Consistent with this measure, it seems that the 100 percent screening can be accomplished. It is just a matter of having the desire and will to devote the necessary resources to get it done.

The administration often mentions that it has stockpiled enough smallpox vaccine for every person in America. It does not mention that the program to pre-vaccinate thousands of emergency workers was a dramatic failure. Consequently, I do not believe we have an effective program in place to vaccinate our population in the even of a smallpox outbreak.

We also have only 159 vials on anthrax vaccine in the stockpile, even though a manufacturer has the capability to produce thousands of doses of this vaccine.

Providing effective communication systems for our first responders has been identified as a top priority for your department. Special patch kits have been developed and additional frequencies identified. But improvements have still not been seen nationwide.

Also, more resources are needed to ensure first responders can communicate with one another. Remarkably, the administration's budget eliminated their only grant program for interoperable communications in existence and cut other programs that could be used to address this critical need.

In sum, even though we know that Al-Qa'ida continues to plot attacks against the homeland, we are not moving as quickly or as strongly as we should to close these security gaps. We have the resources to do so; it is just a matter of the administration's priorities.

Mr. Chairman, I thank you, and that concludes my remarks.

Chairman Cox. I thank the gentleman.

I would advise members that our witness, Secretary Ridge, is under a hard deadline and needs to depart at 4:30 p.m. today.

I have conferred with the ranking member, and we have agreed that out of the previous consent order members who have statements may submit them for the record, and we will be proceeding under the 5-minute rule in putting questions to Secretary Ridge.

In consideration of other members' right to ask questions of the secretary, these 5 minutes should be understood to comprise both the question and the reply from the secretary.

Mr. PASCRELL. Mr. Chairman, you saw what happened last time when we had witnesses before, during this hearing. We were not able to get to each of the members. Today the same thing is going

to happen. We are going to have a vote in 15 minutes. There are three or four votes we will vote on. Same situation.

With all due respect to the secretary's schedule, can we ask the secretary to come back for a second round so that all of us can ask questions?

Chairman Cox. Well, I appreciate the gentleman's comment, and we will do the following.

First, we will be monitoring the hearing clock closely so that all member adhere to the 5-minute rule, which should, for those members who are present, give us the opportunity to put questions.

And second, we will continue, with the secretary's indulgence, questioning the witness even during votes, and a member will be here in the chair at all times to enable that to happen so that members can go to the floor to vote and back.

With that understanding, Mr. Secretary, I will look forward to your testimony.

Mr. PASCRELL. Mr. Chairman, Mr. Chairman.

Chairman COX. The gentleman—

Mr. PASCRELL. Can I have one second, please? I take your answer to be no, then, to my question.

Chairman COX. Well, as I said, the secretary is under a hard deadline. Let us see what we can accomplish in this hearing. I know that the secretary and the department have been very, very cooperative with this committee and will continue to be such. The secretary is back again. We have had him several times before. And I know that this will not be the last time.

Mr. PASCRELL. I am not questioning the cooperation of the secretary. The secretary is doing fine in cooperating. It is the Chair that is not doing fine. That is why I asked the question.

We have a right to ask questions. We need the time. We are not going to be rushed through this. This is important to all of us, our families, our grandchildren.

You have heard the speech, okay? And you continue to—basically the second half of the questioners never get a chance to ask a question.

Chairman COX. In the interest of members—

Mr. PASCRELL. That is the record.

Chairman COX.—having the time, I think the correct course just now is to proceed with the secretary's testimony and the opportunity for members to put their questions.

So, Secretary Ridge, please proceed with your testimony.

**STATEMENT OF THE HONORABLE TOM RIDGE, SECRETARY,
DEPARTMENT OF HOMELAND SECURITY**

Mr. RIDGE. Well, thank you for the opportunity to update the committee on the many recent improvements to our nation's homeland security posture.

As both the Chairman and Congressman Thompson have noted, it is particularly timely in the wake of the thoughtful and thorough recommendations made by the 9/11 Commission. Some of those recommendations, I suspect, will be the subject of our conversation here over the next several hours.

With this committee's bipartisan support, the Department of Homeland Security was established to bring together all of our

scattered entities and capabilities under one central authority to better coordinate and better direct our homeland security efforts.

In the span of our 18-months existence, I believe we have made significant progress. Yet there is certainly more to do. There is certainly greater capacity to build and more improvements to be made.

Nowhere is this more important than with our intelligence operations. That is why improved coordination and cooperation across all elements of the intelligence community have been an absolute imperative of the homeland security mission and one which the president has fully embraced as well as addressed with many recent reform initiatives.

Already we have improved intelligence capabilities and information sharing with our partners in the federal government, as well as with state, local and private-sector partners who work across America on the front line of homeland security.

As an example, the president recently established the national counterterrorism center, consistent with the recommendation of the 9/11 Commission. The Department of Homeland Security's Office of Information Analysis will participate in the new center, which builds on the capabilities of the previous reform in the Terrorist Threat Integration Center.

And as a member of the intelligence community, Homeland Security will have full access to a central repository of intelligence information.

Just as importantly, we can effectively and efficiently channel that information to those who need it by using new communication tools, such as the Homeland Security Information Network.

This network is a real-time, Internet-based collaboration system that allows multiple jurisdictions, disciplines and emergency-operations centers to receive and share the same intelligence, the same tactical information, and therefore, when need be, be operating around the same situational awareness.

This year we have expanded the information network to include senior decision-makers, such as governors and state-wide homeland security advisers in all 50 states and territories, as well as into the 50 largest major urban areas.

In order to increase compatibility and reduce duplication, we are also working to integrate this information network with similar efforts of our partners in the federal government, including the law enforcement online and the regional information sharing system that operate within the FBI.

And all of our federal partners, as well as many, many others, participate in the department's new Homeland Security Operations Center. This 24-hour nerve center synthesizes information from a variety of sources and then distributes the information, bulletins and security recommendations, as necessary, to all levels of government.

Our progress in intelligence and information sharing demonstrates the links we have made between both prevention and protection.

By establishing a comprehensive strategy combining both vulnerability and threat assessments with infrastructure protection, we

are taking steps daily to protect the public and mitigate the potential for an attack.

We have significantly bolstered our nation's security by implementing a layered system of protections at our entries and our ports, on our roadways, railways and waterways and even far from our borders and shores.

Many of our initiatives and security measures were tracked closely—and were tracked closely with the recommendations of the 9/11 Commission.

With newly trained professional screeners, hardened cockpit doors, baggage X-rays and federal air marshals, we have made airline travel safer from the curb to the cockpit.

The recently announced Secure Flight Program will allow the government to operate a more robust passenger prescreening system for domestic aviation, adding another layer of security for airline travelers.

For most visitors to our country, the comprehensive screening process begins overseas at our consulates and embassies, where visa applicants often provide biometric information, such as their digital photograph and finger scans.

This closely protected information is used in conjunction with US-VISIT, the entry/exit system which was implemented ahead of schedule earlier this year.

In this case, one of the commission's most important recommendations was also one of the department's most significant accomplishments.

More than 8.5 million people have been admitted to the United States through US-VISIT with biometric verification of their identity, and more than 100,000 have turned up on watch lists.

Biometrics are an important tool for our security and will significantly improve screening procedures. It is one element that will be evaluated as part of the president's recent homeland security directive to review screening procedures across the government. That is why I have asked for a complete evaluation of the current use and future potential of biometrics throughout the department.

I might add—and hopefully our discussion will get into this later on, Mr. Chairman—it is not only our current and future use within our department within this country, it is actually finding a way to move the international community to accept international standards for biometrics.

So that whether we are authenticating documents or verifying identities, the United States, in conjunction with its allies and partners around the world, will have one agreeable standard that, frankly, will enhance security for all of us.

The use of biometrics for screening, access control, credentialing and identity verification adds a critical layer to our border security strategy.

The Container Security Initiative helps push another layer of security even further outward, as we work with partners in foreign ports to help screen cargo before it reaches our country.

With new, advanced manifest requirements, 100 percent of the incoming cargo is screened and prioritized using a risk-based system, which allows for expedited treatment of low-risk cargo, such

as that shipped by members of our Customs Trade Partnership Against Terrorism program.

And the International Ship and Port Security Code is now in effect. The Coast Guard, along with port security grants, have helped every port in the United States increase their security measures.

We have armed our nation's first responders and first preventers with resources and tools they need to keep America safe in our towns and neighborhoods by allocating or awarding in excess of \$8.5 billion to our state and local partners around the country.

More than just money, we have launched the SAFECOM and RapidCom initiatives to provide both short-term health and long-term solutions to the problems of interoperability. We want to ensure that our first responders can communicate when necessary and across jurisdictions, regardless of the frequency or the mode of communication.

To further help our heroes and our first responders, we have launched the National Incident Management System and published the nation's first-ever comprehensive response plan, so we are all on the same page in the event of an attack or an emergency. And that includes our citizens, as well.

We launched the Ready Campaign a little more than a year ago to encourage people to get prepared, and we will be adding the Ready for Business and Ready for Kids campaigns soon.

All will encourage citizens to do a couple of simple, simple things: Make a communication plan with the people you care about. Have a little kit set aside and just stay informed.

Many people have done so, but we need to spread the word even further and faster. So September is National Preparedness Month. This month, 82 organizations in all 50 states and territories are combining efforts to encourage millions of our fellow citizens to be prepared and get involved in the common effort for the common good.

Unfortunately, we have seen in the past few weeks just how important preparedness can be. The people of Florida have been hit with two hurricanes, a third on the way, and the damage has been considerable. But the long lines at many of the outlets are indications that citizens know how to be ready.

And the Federal Emergency Management Agency knows how to be ready, as well. They have helped thousands of Floridians recover, at least begin the process of recovery, from Charley and Frances by prepositioning disaster supplies so they can reach affected areas faster.

It is very important to note, Mr. Chairman, just briefly, that there was some concern about bringing FEMA into a department because it had such a strong independent identity, and people were somewhat concerned that it would compromise their ability to respond to natural events.

But, in fact, our ability as a department to respond to these pending natural disasters has taken us far beyond what I think anyone could have expected from FEMA acting independently.

FEMA now working with the Coast Guard, working with Immigration and Customs Enforcement. Frankly, they just recruited and we have sent down over a thousand volunteers from our citizen corps to help this effort.

So by bringing FEMA in, remembering what its historic mission was, and that is responding to natural disasters, but then making available resources of the department within their partners in the department to it, I think have effectively added to, I think, a positive legacy of disaster relief for FEMA.

Along with local authorities in Florida and volunteers from around the country, I think they have done a remarkable job. And I believe the people associated with the effort are to be commended for their effort.

The spirit embodied by FEMA workers is not unusual to all the men and women that work in homeland security. We work with countless partners every day around the country to ensure that the country is protected.

The breadth of issues I have covered, Mr. Chairman, and that are covered by the recommendations of the commission, are both indicative of yet also not sufficient to capture the full scope of this department and our mission.

As we continue to evolve into a more agile agency, we look forward to continuing our close working relationship with Congress. We appreciate and value the mechanism for congressional oversight that has been laid out in the Constitution.

However, we believe the relationship would be significantly enhanced, substantially improved—and here I know I am treading on some very thin ice, but will say it anyhow as a former member—if there was an effort within Congress to reduce the number of committees and subcommittees that have oversight over this department.

Working together is the only way we can accomplish our goals. And no doubt, those goals are the same: preserve our freedoms, protect America and secure our homeland.

I appreciate the opportunity, Mr. Chairman, to share these few thoughts with you and look forward to the questioning period.

Thank you.

[The statement of Mr. Ridge follows:]

PREPARED STATEMENT OF THE HONORABLE TOM RIDGE

Introduction

Good morning, Chairman Cox, Congressman Turner, and Members of the Committee. I am pleased to have this opportunity to update the Committee on the Department of Homeland Security's (the Department or DHS) activities and tremendous progress in improving the security of America's families and communities. This is particularly timely in the wake of the thoughtful and thorough recommendations made by the National Commission on Terrorist Attacks Upon the United States (the 9/11 Commission).

As the 9/11 Commission recognized, in the aftermath of September 11th, it was clear that the Nation had no centralized effort to defend the country against terrorism, no single agency dedicated to our homeland security. While many of our Nation's prevention and response capabilities existed, the Nation was not in a position to put the pieces together in a comprehensive manner to combat the scale of attacks we suffered on September 11th.

Our enemies are relentless, and their desire to attack the American people and our way of life remains, though weakened by our successes in the global war on terrorism. To prepare our country for the future and these new realities, the President and the Congress worked together to create a centralized point of command for homeland security. Unified by a common mission, the 180,000 people of the Department are focused daily on one vision for a safe and secure America.

I want to thank the Commission for recognizing the tremendous strides we have already made. Allow me to mention a few, which I will later elaborate upon further.

First, the Administration's progress is marked by dramatically increased intelligence capabilities and information sharing amongst not just Federal agencies but with our State, local, tribal and private sector partners on the front lines of homeland security. As an example, the President's creation of both the Terrorist Threat Integration Center (TTIC) and the Terrorist Screening Center (TSC) is centralizing terrorist-related information enabling significant coordination on the Federal level, ensuring that a comprehensive view is achieved.

Further, we are dismantling roadblocks that once prevented communication between the Federal government and our partners in States, cities, counties and towns across America. Through systems like the Homeland Security Information Network (HSIN), we can share a common picture of events, recognize the patterns and take action to mitigate vulnerabilities and thwart our enemies.

The Homeland Security Information Network also demonstrates the links we have made between prevention and protection. By integrating vulnerability and threat assessment data with infrastructure protection efforts, we work with the owners and operators of our critical assets nationwide to mitigate the potential for attack.

Additionally, we have bolstered our Nation's border and transportation security by turning the pre-existing patchwork of programs into a layered system, closing vulnerabilities with programs like US-VISIT and the Container Security Initiative (CSI) that start overseas and bring travelers and cargo more securely into the U.S.

Finally, as you know, this month is National Preparedness Month. The men and women of the Department and our first responder partners across the Nation are keenly aware that preparedness is vital to our ability to prevent and respond to acts of terror and other emergencies. In addition to awarding over \$8.5 billion to States and local governments, DHS has made great strides in improving the way we administer, award, and disburse critical Federal assistance to the police, fire, and EMS agencies within our communities.

The President is seeking the same unity of command for intelligence and has recently asked Congress to create the position of a National Intelligence Director with full budgetary authority. The National Intelligence Director will assume the broader responsibility of leading the Intelligence Community across our government.

The President has also announced that we will establish the National Counter-Terrorism Center, which that will become our government's shared knowledge bank for intelligence information on known or suspected terrorist and international terror groups. The new center builds on the capabilities of the Terrorist Threat Integration Center, and will ensure that all elements of our government receive the source information needed to execute effective joint action, and that our efforts are unified in priority and purpose.

Intelligence and Information Sharing

With the introduction of intelligence reform in the interim and longer term through proposed legislation, the President took an important step to strengthen our Nation's homeland security and further demonstrate his resolve in fighting the war on terror. On August 2, 2004, the President directed his Administration to take quick action on reform initiatives that would strengthen the intelligence community and improve our ability to find, track and stop dangerous terrorists. Two weeks ago, the President delivered on that tasking by signing a series of executive orders and Homeland Security Presidential Directives that will ensure that the people in government who are responsible for defending America and countering terrorism have the best possible information and support to identify threats and to protect the homeland. These executive orders and Homeland Security Presidential Directives are supported by the valuable recommendations made by the 9/11 Commission, and build upon existing efforts within the Administration.

The first of these executive orders substantially strengthens the management of the intelligence community by establishing interim powers for the Director of Central Intelligence (DCI). Under this order, the DCI would perform the functions of the National Intelligence Director (NID), within the constraints of existing law, until the NID position is codified in law. Under the President's order, the DCI will be able to develop and present, with advice from departments and agency heads, the national foreign intelligence program budget. The President also provided the Director of Central Intelligence expanded authority to coordinate policy within the Intelligence Community (IC). The DCI will now develop common objectives and goals that will ensure timely collection, processing and analysis of intelligence.

The President's Executive Orders will provide better unity of effort in the IC and improved linkage with law enforcement, which will greatly enhance our ability to do our job of protecting Americans and securing the homeland. The new responsibilities of the DCI will ensure that DHS has what it needs from other intelligence agencies and that our efforts are properly integrated in the national intelligence pic-

ture. DHS and other members of the IC will now go to one person who will formulate an integrated approach to common goals and objectives.

In addition, the President established the National Counterterrorism Center (NCTC) by executive order. This new center builds on the capabilities of the Terrorist Threat Integration Center (TTIC), which was created by the President more than a year ago. The NCTC will allow DHS to have a better focused intelligence interface, building off the successful integration efforts of TTIC. It will also allow my Department to have access to a central repository of intelligence information. The DHS Office of Information Analysis (IA) and the U.S. Coast Guard (USCG) Intelligence Program, as the two national IC members within my Department, will participate in the NCTC and will continue to engage in support to State, local, and private sector officials from a broader knowledge base. Effective July 9, 2004, the Departments of Homeland Security, State and Justice together with intelligence agencies established the interagency Human Smuggling and Trafficking Center as an all-source information fusion center to support efforts against the linked national security threats of alien smuggling, trafficking in persons and smuggler support of clandestine terrorist travel. As the 9/11 Commission put it: "For terrorists, travel documents are as important as weapons." An Immigration and Customs Enforcement Special Agent is expected to become the first Director.

This centralization is critical to ensuring that all DHS intelligence analysts have access to the work of the other IC analysts and vice versa. The DHS personnel assigned to the new NCTC will be an integral part of the success of the Center and will be the direct link to the 13 other IC members' products, personnel, and other resources. This open flow of analysis will enable DHS to be better informed regarding terrorist threats and intentions, which will make America more secure. Only by working cooperatively will our borders be better secured, our skies be made safer, and our Nation be better protected. The exact impact of the NCTC will not be fully known for some time, but all involved members of the IC will work together to make it fully functional in the fastest manner possible.

In addition to the NID and NCTC, the President ordered the DCI to ensure we have common standards and clear accountability measures for intelligence sharing across the agencies of our government. The President established the Information Systems Council to identify and break down any remaining barriers to the rapid sharing of threat information by America's intelligence and law enforcement agencies, and State and local governments. DHS will participate on this Council.

Within DHS, the Information Analysis and Infrastructure Protection Directorate (IAIP) has the lead on intelligence and information sharing. At the direction of Under Secretary Frank Libutti, IAIP has invigorated the communications with our State, territorial, tribal, local, major city, and private sector partners. A guiding principle for this effort is that there is more to information sharing than one Federal agency talking to another. We must ensure that those on the front-lines of homeland security have the best information to safeguard our communities and critical infrastructure. To that end, DHS is working together with its partners to identify and provide effective and workable solutions to our most challenging information sharing needs.

One information sharing initiative I would like to mention is the HSIN, which is the umbrella under which various information sharing programs fall. One such program, launched in February of this year, is the Joint Regional Information Exchange System (JRIES). The initial goal was to have all States and major urban areas in America connected to DHS by the end of summer. I am happy to say we met that goal. This low-cost system provides secure, real-time connectivity in a collaborative environment so vital homeland security information can be shared among appropriate Federal, State, and local officials. This growing system has been very successful and numerous investigations have resulted from its implementation. As a key factor in its success, it should be noted that this effort is not a federally run system, but rather a partnership with State and local officials. This is representative of how DHS approaches its mission—only by working as partners will we be most effective in securing our hometowns.

To further integrate Federal efforts with State and local officials, the Department of Justice (DOJ) and DHS information sharing staffs are working hard to bring the HSIN, Law Enforcement Online (LEO), and the Regional Information Sharing System (RISSNET) together with the goal of making the systems more compatible, without duplicating efforts, as quickly as possible.

Other HSIN efforts include establishing a Secret-level classified system to the States. It also will provide greater connectivity to critical infrastructure owners and operators to enhance opportunities for two-way information exchange. Surveillance activities by owners and operators at their own facilities often garner valuable information to identify potential terrorist activity. With the staffing of dedicated critical

infrastructure sector specialists within IAIP, members of the private sector also now receive threat-related information enhanced by recommended protective actions, making threat information more meaningful and actionable. Through the HSIN system at the local community and regional level, private businesses receive alerts, warnings, and advisories directly from DHS.

DHS is also working with its Federal partners to share information more effectively. Members of 35 different Federal agencies are now all co-located together in DHS's new 24-hour Homeland Security Operations Center (HSOC), which allows incoming information coming from various sources to be synthesized and shared with other Federal partners such as the FBI and the Department of Defense. In addition, since March of last year, nearly 100 bulletins and other threat related communiqués have been disseminated by DHS to homeland security professionals across the country.

Another information sharing capability that was established in March of this year is the IAIP National Infrastructure Coordinating Center (NICC). The NICC maintains operational awareness of the Nation's critical infrastructure and key resources, and provides a comprehensive mechanism and process for information sharing and coordination between and among government, critical infrastructure owners and operators, and other industry partners for 13 critical infrastructure sectors and 4 key resources. The NICC will be collocated with the Transportation Security Operations Center and includes the infrastructure coordination activity, the National Communications System National Coordinating Center for Telecommunications (NCC-Telecom ISAC), and the National Cyber Security Division US Computer Emergency Readiness Team (US-CERT). The NICC has the capability to fully integrate activities of ISAC partners and other industry and government representatives. Our efforts to develop improved information sharing procedures have involved cooperation with local DAs as well as our State and local partners.

Building International Partnerships

Information sharing efforts within the U.S. Government related to anti-terrorism are not confined to our Nation's physical borders. We have made significant progress, in cooperation with our international partners, in the global war on terror. Through bilateral mechanisms and multilateral forums, we have sought to share terrorist-related information to better secure international travel and trade and further impede and deter terrorist exploitation of that system.

As a key example of these activities, the Department, in cooperation with the Departments of State and Justice, advanced the Secure and Facilitated International Travel Initiative (SAFTI), which was adopted by the President and other heads of state at the G8 Summit in June. The SAFTI Action Plan contains 28 specific action items that will advance our Nation's security. Among those are efforts to:

- Accelerate development of international standards for the interoperability of smart-chip passports.
- Develop mechanisms for real-time data exchange to validate travel documents.
- Provide effective and timely information exchange on terrorist watchlists or lookout data of participating countries on a reciprocal basis.
- Commence sharing lost and stolen passport data to an Interpol database that eventually will allow for real-time sharing of the data amongst member countries.
- Develop a methodology for assessing airport vulnerability to MANPADS threats and effective countermeasures.
- Improve methodologies to analyze data on passengers, crew, and cargo in advance of travel.
- Develop best practices for the use of Air Marshals.
- Examine ways to collaborate on the forward placement of document advisors.
- Develop robust flight deck security measures.
- Expand research and development on biometric technologies.
- Enhance port and maritime security through implementation of international standards and compliance with International Maritime Organization (IMO) requirements as set forth in the International Ship and Port Security (ISPS) Code.

Working with the Department of State and other agencies, Department of Homeland Security agencies including the Coast Guard, Immigration and Customs Enforcement, Customs and Border Protection, Federal Law Enforcement Training Center and others provide training, data sharing, help in procuring technology, mutual law enforcement cooperation and related assistance to Mexico, other key countries in our Hemisphere and around the world. These efforts not only fight terrorism directly, but help key countries counter-attack against trafficking in drugs, human

beings, weapons, money and other crimes that terrorist organizations often rely upon. Helping other countries strengthen their homeland security is often critical to preventing threats from reaching the United States.

Terrorist Financing

The U.S. government is using the information and intelligence gathered about terrorists to destroy the leadership of terrorist networks, eliminate sanctuaries found in the support of foreign governments, and disrupt their plans and financing. A partnership of Federal agencies, led by the Department of Treasury, and working in cooperation with the international community, are going after terrorists' sources of financing. Together, we have frozen nearly \$143 million in terrorist-related assets, designated 383 individuals and entities as terrorist supporters, apprehended or disrupted key terrorist facilitators, and deterred donors from supporting Al-Qa'ida and other like-minded terrorist groups. America is safer today because we have made it harder and costlier for Al-Qa'ida and other terrorist groups to raise and move money around the world.

DHS has a role in these operations through U.S. Immigration and Customs Enforcement (ICE). Last year, DHS and DOJ signed a memorandum of agreement that greatly enhances the U.S. government's ability to wage a seamless, coordinated campaign against sources of terrorist funding. This agreement, which established the F.B.I. as the lead agency for the investigation of terrorist financing cases, outlines a protocol for ICE and FBI coordination of these investigations under the auspices of the Joint Terrorist Task Forces (JTTF's). The agreement also contains joint vetting procedures that allows ICE and the FBI to work collaboratively in determining roles and responsibilities regarding these cases. ICE, in turn, continues to play an important role in these investigations, utilizing its historic expertise in financial crime and money laundering.

DHS also uses its expertise and jurisdiction in financial crimes, money laundering, and commercial fraud, within both ICE and the U.S. Secret Service, to work with other Federal agencies and with the financial sector to address vulnerabilities that are open to exploitation by terrorists and criminals. Addressing these vulnerabilities provides yet another layer, or avenue, of defense in identifying, preventing, and dismantling groups that seek to attack our economic security and undermine our way of life.

Border and Transportation Security

As noted above, the Administration has worked extensively with its international partners to bolster our Nation's homeland security by instituting prevention and protection measures overseas. It is important to recognize our programs are part of a layered approach to security. There is no silver bullet, no single security measure is foolproof, and the strategy lies in creating a systems approach, starting far from our borders.

On the commercial side, U.S. Customs and Border Protection (CBP) Officers and USCG personnel work with their foreign counterparts to instill a security mindset in the international supply chain through foreign port assessments and cargo screening through the Container Security Initiative. U.S. Officers are operating in 24 international ports of trade working alongside our allies to target and screen cargo, helping to identify and even inspect high-risk cargo before it reaches our shores. Further, with advance manifest information requirements, 100 percent of cargo is screened through targeting using a set of specific indicators. These measures enable risk-based decisions regarding prioritizing inspections and use of technologies to inspect cargo. This is not only good for security, it is good for trade facilitation, allowing expedited treatment for low-risk cargoes, such as those shipped by members of our Customs–Trade Partnership Against Terrorism program (CT–PAT).

A holistic view of maritime security includes a robust security planning regime. The U.S. worked hard within the IMO to implement the ISPS code—it is now in effect, and the USGC issued corresponding regulations to put in place a security planning regime for ports, facilities and vessels. As a result, new security measures are in place at *every* port in the United States.

When it comes to foreign visitors, the comprehensive screening process begins at our U.S. consulates and embassies overseas, where visa applicants at most locations provide two fingerprints and a photograph along with their biographic data (By October 26, 2004, the Department of State will have this process in place at all locations). That personal information, closely protected, is screened against extensive terrorist-related information, to which consular officers now have direct access. Upon arrival at our air and sea ports of entry, these same visitors are matched with their biometric information through US–VISIT. US–VISIT will soon expand to cover individuals from visa waiver countries as well.

The 9/11 Commission noted the importance of a strong entry exit system. And I want to underscore that point in elaborating on US-VISIT, as the implementation of this program is truly one of the Department's greatest accomplishments. With the launch of US-VISIT in May of last year, we actually commenced the implementation of a comprehensive entry exit system, an idea that had languished for decades. US-VISIT, particularly including the biometrics component, adds a critical layer to our border security strategy. With great leadership from Under Secretary Asa Hutchinson and the head of the program team, Jim Williams, we have admitted more than 8.5 million people to the United States with biometric verification of their identity. This has resulted in more than 1,100 watch list matches as of September 9 and the decision to deny more than 280 persons admission to this country.

Our transportation sector is more secure than ever—across all modes. We are working diligently with the Department of Transportation and State, local and private sector stakeholders to protect critical infrastructures and deploy base security measures, as demonstrated in the security directives issued to passenger rail and transit operators in April. Certainly, the Federal responsibilities in aviation, historically and as a result of the 9/11 attacks, focused intense efforts on air travel. And, to that end, DHS has put in place a strong, layered security regime, upon which we are consistently building. This includes hardened cockpit doors on 100 percent of large passenger aircraft, vulnerability assessments at over 75 of the Nation's largest airports, screening of 100 percent of all baggage, deployment of thousands of Federal air marshals, training of thousands of air crew under the Federal flight deck officer program, and development of a professionally trained screener workforce which has intercepted more than 12.4 million prohibited items since their inception. In addition, a robust screening system is in place for all international flights into the United States, and all passenger names for domestic flights are checked against expanded terrorist watch lists.

We have also recently announced our intention to move forward on our plans for a more robust passenger pre-screening system for domestic commercial aviation. The Secure Flight program, which will be tested this fall and implemented early next year, will enable the Transportation Security Administration (TSA) to better compare travelers to a list of known or suspected terrorists maintained by the Terrorist Screening Center. This list will expand dramatically upon the current *No Fly* and *Selectee* lists now operated by the airlines and will be managed entirely by the government. TSA will also retain a modified set of CAPPS I criteria that will provide a better focused layer of security, and reduce the number of passengers selected for enhanced screening.

In addition to these strides forward, we continue to seek opportunities for continued improvements in our terrorist-related screening processes. For this reason, the President issued Homeland Security Presidential Directive-11 (HSPD-11) on August 27, which directed DHS to lead a Federal Government-wide effort to develop a strategy to ensure that an efficient and comprehensive framework exists for terrorist-related screening across the Government. The Directive requires development of a plan to implement enhanced comprehensive, coordinated government-wide, terrorist-related screening procedures to detect, identify, and interdict people, conveyances and cargo that pose a threat to homeland security. It also calls for the enhancement of terrorist-related screening in a manner that safeguards legal rights, including freedoms, civil liberties, and information privacy guaranteed by Federal law, while facilitating the efficient movement of people, conveyances and cargo.

HSPD-11 builds upon the Department's efforts in this area, as I recently directed a review of all biometrics programs within the Department with the same goals in mind. The use of biometrics provides improved security through application in identity verification, access control, credentialing and facilitation programs.

With continued developments in the area of identification security, the President also signed Homeland Security Presidential Directive-12 (HSPD-12) two weeks ago, to set a common identification standard for Federal employees and contractors, which does the following:

- Mandates the expedited, public, and open development of a uniform standard for Federal employee and contractor identification that ensures security, reliability, and interoperability;
- Closes security gaps and improves our ability to stop terrorists and others from accessing or attacking critical Federal facilities and information systems; and
- Improves efficiency among Federal agencies through more consistent systems and practices.

Secure identification is a priority for the United States. As noted by the 9/11 Commission, birth certificates, drivers' licenses, and most other forms of identification have traditionally been issued by State and local governments, not the Federal Gov-

ernment. There are more than 240 different types of valid drivers' licenses issued within the U.S. and more than 50,000 different versions of birth certificates issued by States, counties, and municipalities.

At the Federal level, we are working closely with our State and local partners to find ways to strengthen the standards used to issue documents that people use to establish their identity without creating a national identity card. DHS has supported the efforts of the American Association of Motor Vehicle Administrators (AAMVA) in looking at the security of drivers' licenses and strongly supports the States in their endeavors to improve the security of these documents.

When it comes to international travel, significant work has been done to combat fraudulent documents through information sharing with foreign governments and implementation of key programs, like US-VISIT, which use biometric identifiers to mitigate this risk. These efforts continue through the background checks conducted by U.S. Citizenship and Immigration Services (USCIS) in granting immigration benefits.

Civil Liberties/Privacy

In all of these initiatives, the President's commitment to the protection of civil liberties and privacy is a guiding principle. The rights that are afforded not only to Americans but also to those who visit and live with us in this great Nation form the foundation of American society. Let me say simply that if we fail in this area, the terrorists will have won.

The Department's commitment to these ideals is further demonstrated by the appointment of our Officer for Civil Rights and Civil Liberties, Dan Sutherland, and our Chief Privacy Officer, Nuala O'Connor Kelly.

The Privacy Office has made privacy an integral part of DHS operations by working side-by-side on DHS initiatives with the senior policy leadership of the various directorates and components of DHS and with program staff across the Department. As a result, privacy values have been embedded into the culture and structure of DHS, ensuring that development of DHS programs is informed by thorough analysis of privacy impacts. And, once implemented, these programs are effective in protecting the homeland while protecting personal privacy.

The Department also has made the preservation of civil liberties a priority, and relies on the Office for Civil Rights and Civil Liberties (CRCL) to provide proactive legal and policy advice to senior leadership in the Department and its components. For example, CRCL worked closely with the Border and Transportation Security Directorate to craft positive policy changes in response to the issues raised by the DOJ Inspector General's report on the 9/11 immigration detainees. CRCL has also developed policies to establish DHS as a model employer for people with disabilities and is helping me to implement President Bush's recent Executive Order directing that people with disabilities be fully integrated into the emergency preparedness effort.

The President stands firm on the protection of our fundamental freedoms and recognizes the importance of safeguarding our civil liberties and privacy in the war on terrorism. This was noted by the recent establishment, through Executive Order, of the President's Board on Safeguarding Americans' Civil Liberties (the Board).

The Board will ensure that while the government takes all possible actions to prevent terrorist attacks on America's families and communities, we continue to enhance this commitment to safeguard the legal rights of all Americans, including freedoms, civil liberties, and information privacy guaranteed by Federal law. It will advise the President on government-wide efforts, request reports and otherwise monitor progress, and refer credible information about possible violations for investigation, and is empowered to seek outside information, perspective, and advice. Chaired by the Deputy Attorney General, with the Under Secretary for Border and Transportation Security of the Department of Homeland Security serving as Vice Chair, and other senior officials drawn from across the Federal Government with central roles in both the War on Terror and in civil liberties and privacy issues, the Board held its first meeting yesterday.

Preparedness

I am proud to speak of our significant gains in the area of national preparedness, particularly since it is National Preparedness Month. Throughout the month of September, hundreds of activities are planned to highlight the importance of individual emergency preparedness. Eighty-five partner organizations and all 56 States and territories are sponsoring events to encourage Americans to take simple steps now to prepare themselves and their families for any possible emergencies. In addition, the public education campaign *Ready*, and its Spanish language version *Listo*, educates and empowers American citizens to prepare for and respond to potential terrorist attacks and other emergencies. *Ready* is the most successful public service campaign launched in Ad Council history and is delivering its messages through the

www.Ready.gov and *www.Listo.gov* websites, radio, television, print and outdoor public service announcements, brochures, and a variety of partnerships with private sector organizations.

Business Ready will be launched later this month to encourage small to medium sized businesses to take steps to better protect their employees and their livelihood. Also, nearly 1,300 communities around the country, encompassing 50 percent of the U.S. population, have established Citizen Corps Councils to engage citizens in preparing, training and volunteering, including delivering the important messages of the Ready campaign.

In our initiatives to educate the public on preparedness, we have had strong partners in the first responder community—those who have been on the front lines for a long time. The Department has many efforts underway to support our Nation's first responders, particularly in the area of training and equipment.

Since September 11th, the Department and its legacy agencies have directly provided nearly \$8.5 billion in grants for equipment, training, exercises, planning, and other assistance to our first responders and State and local partners. This is on top of the billions of dollars also provided by DOJ and the Department of Health and Human Services. This represents a dramatic increase in funding for State and local efforts in prevention, preparedness and response for terrorism and natural disasters.

DHS is improving the way this assistance reaches the end users in the communities. Earlier this year, the Department consolidated all of its first responder and emergency preparedness grant and assistance programs into a single “One-Stop Shop”—the Office of State and Local Government Coordination and Preparedness (OSLGCP). OSLGCP offers the State and local government first responder agencies, seaports, rail and transit operators, dedicated research institutions, and citizen volunteer agencies with a single Federal Government portal for Federal assistance for terrorism preparedness.

Without preparedness standards, the billions of dollars spent on these activities would not be the most efficient use of these limited resources. Therefore, in December of last year, the President issued Homeland Security Presidential Directive-8 (HSPD-8), which, among other things, establishes a national preparedness goal. OSLGCP is leading this effort and is devising plans to implement the 16 separate actions and capabilities identified to improve the mechanisms of administering Federal preparedness assistance, preparedness reporting, standards, and assessment of our Nation's first responder capability.

Further, the Department is engaged in significant training activities, covering the spectrum of all-hazards preparedness, with a special emphasis on terrorism prevention and weapons of mass destruction awareness. DHS programs have provided such training to more than 205,000 first responders in fiscal year 2004 alone (more than 450,000 since fiscal year 2002).

To address the critical communications needs of our first responder community, we are developing a new office to coordinate Federal, State, and local communications interoperability, leveraging both ongoing and new efforts to improve the compatibility of equipment, training, and procedures. Incorporated within the parameters of this new office are the SAFECOM and RapidCom initiatives. DHS's SAFECOM program provides long-term technical assistance to Federal, State, tribal, and local programs that build and operate public safety communications, while RapidCom focuses on the immediate development of incident-level interoperable emergency communications in high-threat urban areas.

Under DHS leadership, the SAFECOM program has made significant progress in achieving the goals of interoperability, including the release of the first ever consensus Statement of Requirements for Public Safety Wireless Communications and Interoperability.

I am also pleased to report that as part of the RapidCom program, DHS is working with the State and local leadership in New York City, the DC Region, and eight other major urban areas to ensure that first responders can communicate by voice, regardless of frequency or mode during an emergency. RapidCom will ensure that high-threat urban areas have incident-level, interoperable emergency communications equipment by September 30, 2004. The program will support deployable communications capability in these urban areas for an incident area approximately the size of the attacks on the World Trade Center towers on September 11th. Thus, at the incident area, emergency personnel from various regional jurisdictions will be able to communicate using existing equipment that is made interoperable by a patch-panel device, interconnecting various models of equipment that would otherwise not be compatible. In addition to these targeted efforts, interoperable communications planning and equipment has been a high priority for Federal homeland security assistance to States and localities, particularly in high-risk urban areas.

We have also achieved some tremendous milestones in implementing National Incident Management System (NIMS) and completing the essential core of the National Response Plan (NRP), which will ultimately consist of this base-plan and a number of supporting annexes to be finished this year. Required by Homeland Security Presidential Directive-5 (HSPD-5), issued by the President on February 28, 2003, the NIMS ensures that Federal, State, and local governments and private-sector organizations all use the same criteria to prepare for, prevent, respond to, and recover from a terrorist attack, major disaster, or other domestic incidents, regardless of cause, size, or complexity. It builds upon well-established principles of the Incident Command System (ICS) including the unified command structure to provide organizational clarity and a common terminology that facilitates planning, coordination and cooperation at all levels of the responding community. A NIMS Integration Center, involving Federal, State, and local government representation, continues to develop and improve this system. DHS plans to conduct research in fiscal year 2005 to develop devices to locate first responders, and allow Incident Commanders to better understand where their resources are and how they are employed; and to provide virtual reality simulation training. The NRP applies the incident command concepts to include Federal support to States and local governments during disasters. It also establishes a framework for DHS to interact with the private sector in preparation for, response to, and recovery from terrorist attacks, major disasters and other emergencies. It will integrate operations into a seamless system and get help to victims more quickly and efficiently.

Before moving away from the Department's significant preparedness activities, I want to mention the devastating hurricanes that have hit this country recently. In addition to continuing to send our thoughts and prayers to all of the families who have been affected, the Department has been on the ground and fully engaged in providing emergency assistance. The Federal Emergency Management Agency (FEMA) pre-positioned emergency response teams and disaster relief supplies throughout the southeast region in preparation for anticipated response operations and continues to coordinate Federal response and recovery activities with State and local agencies. Further, President Bush ordered the release of Federal disaster funds and emergency resources for Florida to aid people battered in these disasters, requested additional funds from Congress as needed, and we continue to provide assistance to those who need Federal support in the wake of these disasters.

Oversight of DHS

The breadth of issues covered in this testimony, while addressing many significant activities, does not speak to the entire scope of this Department's great work. We have pulled together 22 agencies and 180,000 employees into a unified Department whose mission is to secure the homeland. We are operating as a single unit—one team, one mission, one fight. Yet long term integration takes time—and we are daily challenged to ensure strong internal organization, as we continue building bridges with all of our partners in homeland security.

As we continue to evolve into a more agile agency, we work closely with our partners in Congress. I appreciate the importance of our relationship and value the mechanism laid out in the Constitution, very appropriately, for Congressional oversight. However, this relationship would be significantly improved if there were an effort within Congress to reorganize itself, to enable more focus on homeland security, facilitate better oversight and ensure an even closer day-to-day relationship. Last year we testified before 145 committees and subcommittees, briefed members of Congress or committee staffs over 800 different times and met thousands of requests for information just from committee staffs. This year we're already well beyond that. We still have pending over 300 General Accounting Office reports and we've already submitted at least that number. Again, the Department benefits from its relationship with Congress and an intense scrutiny of homeland security efforts, but these numbers demonstrate the need for a more effective structure.

Conclusion

We are committed to leading the unified national effort to secure America. We have done so—and will continue to do so—by developing innovative methodologies to prevent and deter terrorist attacks, and protect against and respond to threats and hazards of all types. All the while we ensure we maintain safe and secure borders, welcome lawful immigrants and visitors, and promote the free flow of commerce. Every day, the memories of September 11th inspire us in our efforts to preserve our freedoms and secure this great homeland.

Thank you again for this opportunity to speak with you about the Department's activities and respond to the recommendations of the 9/11 Commission. I am happy to answer any questions you may have.

Chairman Cox. Thank you.

The Chair recognizes himself for 5 minutes.

Mr. Secretary, the department and this committee have both worked to make prevention the priority from the outset. That meant within the Department of Homeland Security, bringing the information analysis portion, the intelligence arm of DHS, up to statutory full strength as quickly as possible.

We knew, because experience had shown us, that if the department did not serve state and local and private-sector customers, nontraditional intelligence customers, with timely and reliable analysis, that possibly nobody else in the federal government would or could.

The intelligence community surprised us, however. By all accounts, it did not even serve its traditional national security customers, as the 9/11 Commission pointed out. The president has noticed; so have voters. And so we find ourselves now in a high-stakes, high-speed effort to reform the intelligence community.

About a week ago the White House released its outline of the president's own reform proposals. The commission's report shows that the undersecretary of Information Analysis and Infrastructure Protection in some way answers ultimately to a new national intelligence director. The McCain-Shays bill has a similar feature.

I am hoping that you can help us understand at least what the department's vision is for how this is all going to shape up or how it ought to shape up.

First, what should be the IAIP role, the intelligence role, in the department in terrorism threat analysis? How would the president's proposals change the status quo and change the role for information analysis for intelligence, as outlined in the Homeland Security Act?

How should IAIP relate to the rest of the intelligence community? Should it be the lead federal agency—that is to say, should the department be the lead federal agency—in conveying terrorist threat information to state, local and private-sector officials, as is presently the case in practice and under statute?

And finally, should IAIP continue to be responsible for the homeland security advisory system, even under this newly reorganized intelligence community plan that we are developing?

Mr. RIDGE. Mr. Chairman, the Congress gave the new department a very specific, exclusive mission. And that was to take relevant threat information that related to domestic threats and use that information to map against the potential vulnerability to which the threat was directed, and shore up that vulnerability.

So we take a look at the threat, map it against the potential target, and what have we done to reduce the vulnerability, to eliminate the likelihood of the prospects of being attacked, if it were attacked, to reduce or eliminate any damage?

I believe that mission is and will remain one of the most strategic pieces, one of the most strategic roles that the new department would play.

However, under the configuration, as I have read it, of the 9/11 Commission, the relative bills, the president's own initiative, the strategic threat assessment relating to the homeland would be done under the auspices of the national counterterrorism center. It

would be doing strategic threat assessment for both foreign and domestic.

That does not mean that we relocate all our analysts. We are still going to be assessments. We will still be providing competitive analysis.

So I think, clearly, the mission that you, the Congress, specifically gave us is compatible with the reorganization that is contemplated by the pieces of legislation.

I also believe that under any restructuring, IAIP should still have the primary and the sole responsibility to deal with the homeland security advisory system. Again, specific responsibility by statute. We undertake it. I think it is a system that is working, and nothing conflicts in any of the existing proposals with that mission.

The third question you asked, however, I think is one that will need to be addressed, if not in the legislation, but sometime thereafter. And that is, who is to channel the threat assessment and these kinds of information down to the state and local partners?

We are talking about the integration of the country. We are talking about improving information sharing side by side within the federal government, but from top to bottom, federal, state and local.

We know that historically the FBI has done that with the law enforcement community. And we have built up, for the past two years, strong ongoing daily relationships, interaction, with the states and local communities through bulletins and advisories, most of them submitted with the support and collaboration of the FBI and with the Homeland Security Information Network, with a series of calls, hooking up our operations centers and secure videos to the states and the locals.

So again, one of the challenges we will have, I believe, no matter how we reconfigure the national intelligence director and the national counterterrorism center, is to hopefully minimize the number of means of communication down to the state and locals, so they are not getting disparate messages from multiple federal agencies about the same thing.

Again, that is a real challenge, and we think we are, obviously, the agency that is best suited to work in conjunction with the FBI to deliver that information.

Chairman COX. The gentleman from Mississippi is recognized for 5 minutes.

Mr. THOMPSON. Thank you, Mr. Chairman. I will not take up the entire 5 minutes.

Mr. Secretary, you are aware of the lack of inspections of chemical plants and the fact that we do not have any real security standards for our chemical plants at this point.

Is there a reason why we have not taken stronger mandatory measures to protect chemical facilities up to this point?

Mr. RIDGE. Congressman, to your point, there have been no mandatory measures that have been taken, but there have been many initiatives undertaken in conjunction with the chemical industry and hundreds of millions of dollars invested to add security and prevention.

You are absolutely right. We literally have thousands and thousands of chemical facilities around the country. Within the unit of

infrastructure protection, I dare say it is one of the top, if not the top priority.

And what we have done is take a look at these facilities and, by and large, provide the homeland security adviser of each state, as well as the operators of the facilities, certain documents and planning tools as we beef up security.

Characteristics and common vulnerabilities: Some of them have—many of them have the same kinds of vulnerabilities. So in a certain extent, one size does fit all.

We have given them indicators of what they might look for, potential terrorist activity in terms of surveillance, reconnaissance, mindful of their need to limit access to critical areas within their facilities.

And we have also given them buffer zone protection plans so they can begin working both internal, inside their operations, and external, outside the community, to protect these facilities.

And in time, as these have all been distributed and we have begun working with some of the largest and most critical companies to see that the vulnerabilities are assessed and the buffer zone protection plans are put into place, and then working with the state, and particularly the local police and fire chiefs, go in and confirm that the vulnerability gaps have been closed and the buffer protection plans have been put in place.

But we still have a long way to go, Congressman. There are thousands of those facilities out there. But we, frankly, started with those closest to the most densely populated areas that have the greatest potential for harm if they were turned from an economic asset into a weapon.

Mr. THOMPSON. Thank you, Mr. Secretary.

Of those thousands of facilities you mentioned, how many do you have knowledge that your department has actually visited?

Mr. RIDGE. I believe your earlier comment with regard to a couple dozen is probably correct. I will get that number back to you.

I think one of the challenges that we have is to understand, one, that there are common vulnerabilities among many of them; and, two, we are going to rely heavily upon those first responders at the state and local level to help us make some of these assessments and help us ensure that the buffer zone protection plans are put into place.

After all, these are the men and women who are going to respond to it in the first place. And there have been a lot of initiatives that they have undertaken as well.

So I can get back to you with a specific number that we have visited. But, again, part of our challenge in trying to deal with thousands and thousands of chemical locations, is building a standard, at certain levels, for protection. And that is our first effort, to create a standard of best practice for certain facilities that we want to see adopted across the board.

To date, the chemical industry estimates they have invested about three-quarters of a billion dollars in security measures. I am not in a position to confirm it. But we are aware that we have gone into some of these chemical facilities where literally there have been hundreds of thousands of dollars worth of investments made.

Mr. THOMPSON. So is it your department's belief that the voluntary approach to working with chemical plants is working and it is better and having a mandatory situation with the chemical plant?

Mr. RIDGE. Until such time as Congress mandates a specific approach, we will continue to work in collaboration not only with the chemical companies, but in collaboration with the first responders, who are the ones who are going to be called in the event something happens in that community, to see that the best practices are adopted and the appropriate investments are made.

And we will continue to prioritize within all of these chemical companies and go out and personally visit and personally oversee the development of the protection zones around those, and just work our way down the list with the help of state and local first responders.

Mr. CAMP. [Presiding.] The gentleman's time has expired.

Mr. Secretary, the need to improve border security and have a national strategy for the management of our border has been evident for some time, for decades, some might say. And your testimony goes to improvements that have been made in bringing—

Mr. DICKS. Will the Chairman yield just for a point of inquiry?

Mr. CAMP. Yes.

Mr. DICKS. Are we going to go vote at the end of the Chairman's—

Mr. CAMP. We are going to continue to stay in session, and the Chairman has gone to vote and will come back, and we will continue to move forward. We are going to continue to question during the vote.

There are 10 minutes of debate, we think, on a motion to recommit. And we will continue to question as long as we can during the votes.

Ms. JACKSON-LEE. What time—

Mr. CAMP. I believe the Chairman said he had to leave at 4:30.

Ms. JACKSON-LEE. Okay, thank you.

Mr. CAMP. Thank you.

Thank you, Mr. Secretary.

In your testimony, obviously we have a lot of improvements that we need to make at our border. Your testimony goes to some of the changes in bringing travelers and cargo into the U.S. more safely. And as the chairman of the Subcommittee on Border and Infrastructure, we have had a lot of hearings on the progress that has been made there.

But my question is this: In a single day—and there is a recent article in Time magazine that is coming out highlighting this—in a single day, more than 4,000 illegal aliens cross the 375-mile border between Arizona and Mexico, every single day. And as the article indicates, there are no searches for weapons, there is no shoe removal, there are no ID checks.

Where are we in stopping that, and where is this administration on that specific issue?

Mr. RIDGE. Well, first of all, I am familiar with the article and regret that, at least to my knowledge, there was no effort to contact the department that has some statistics that might have been help-

ful to the author and to highlight some of the changes that we have made over the past 18 months.

Having said that, I am not in a position to confirm any of their statistics, one way or the other. I am in a position to tell you, however, that we have got, because of congressional bipartisan support, we have got about 1,500 more agents, border patrol folks down there than we did before.

We are not using unmanned aerial vehicles to get us to places where heretofore it has been pretty difficult for the border patrol to get to. We have adjusted our tactics accordingly.

We have heightened particularly our effort in the areas that had previously been very, very porous. That is the Arizona Border Patrol Initiative where we continue to pick up, I think, probably 50 percent more people than we did in previous years.

And there is a list of initiatives that we have taken at the border that were not reflected in the article. I am not going to say to you, Mr. Chairman, that the border is no longer porous, there are no longer illegal immigrants coming across. But in the span of 18 months, between more technology, more sensors, more border patrol agents, and frankly a better integration of effort, I think we are doing a lot better job in the past 18 months than we probably did in the past 18 years.

We have still got more work to do, though. I am the first one to admit we still got more work to do.

Mr. CAMP. Thank you, Mr. Secretary.

I am going to yield the rest of my time to Ms. Dunn.

Ms. DUNN. [Presiding.] I thank the gentleman.

We are, as you can see, racing back and forth for votes. Has the gentlelady from Washington, D.C., asked her questions, or would you like to ask your questions now?

Yield 5 minutes to the gentlelady from Washington, D.C.

Ms. NORTON. Thank you, Madam.

And thank you, Secretary Ridge, for your important work for our country.

There is a growing sense of many of us that we may be fighting the last war, and I encourage you to continue to fight the last war, because I know that is not over yet.

I would like to ask you about two very large vulnerabilities that some of us see as perhaps part of the next war which we would not like to see. One is protection for the much larger private sector of our country, the business sector, that produces the resources and revenue. And the other is about mass transit and rail.

This city is typical of large cities, with its official sites protected and fortified, but most large cities have very small official sectors and huge business sectors. So, first, as to the private sector, you endorsed before the 9/11 Commission the national standards for the private sector. But you said you objected to the inclusion of such standards in a bill that has been introduced, and I was one of the sponsors of that bill.

I am talking about NFPA-1600. You say you objected to it because there should be a number of different kinds of standards to draw on. Then you seem to end up saying that the NFPA-1600 would be a good starting point, additional standards, guidelines and best practices.

So are we reading from the same script here? Because far from pinning you down, all that this bill said was—it began, just as you say, you believe we should, with the American National Standards Institution and National Fire Protection, then it says, you know, anything else—and it says existing private sector emergency preparedness guidance or all best practices.

And the reason I ask it is that we are sitting here with a wide-open federal sector. We went to your Web site and could not find anything on the Web site that gave guidance to the business sector, to the private sector.

And so I want to ask you when such guidance will be coming forward, particularly since you objected to the bill which I think would do exactly what you testified before the 9/11 Commission you would be doing.

And then, about rail security, just let me say how completely fearful I am about rail and mass transit. That is where the people are, Mr. Secretary. I went to a rail hearing here, sat in on a rail hearing here. And I was just astounded.

Somebody from your department and somebody from the Federal Railroad Administration were both there. I could find no locus for who deals with rail and mass transit security in our country, no assessments going on, no national standards or plans even being thought of by these two officials.

I did not expect something comparable to aviation, but it is very frightening to think that people get on Metro, get on the subways in New York, get on railroads, that there is no funding and not even any guidance in these two sectors.

And the private sector is one, the mass transit sector is the other. And if you wanted to ask me where the American people are, it would not be on the airplanes, where we are beginning to fight the good fight, it would be on these two sectors which I believe are almost completely uncovered.

Ms. DUNN. I remind the gentlelady—excuse me, Secretary Ridge—that there is only 1 minute left for the reply of the director.

Go ahead.

Mr. RIDGE. Let me respond, Congresswoman.

First of all, I would like to personally get back to you, because the standards that I have endorsed before the 9/11 Commission, if it was communicated to you that somebody opposed them, I need to find that out, because I do not.

But I would like to get back and deal with issue personally, because it was a voluntary standard, very appropriate for the private sector to review and certainly a strong recommendation on behalf of the 9/11 Commission. I stand by how I testified before the 9/11 Commission. So I will get back to you on that.

Ms. NORTON. Thank you. Because they have endorsed what you have said.

Mr. RIDGE. Absolutely. And I think endorse what you are saying. I mean, the point of it is, we throw some standards out there, get the private sector engaged.

But you should also know that pursuant to our mission in infrastructure protection, as well as a presidential directive, we are presently working on sector-specific protection plans. Transpor-

tation is included as one of them. But this is across the entire private sector arena: transportation, financial services, chemical.

Now, because we are working on a national strategy dealing with each of these sectors, does not mean that we are not taking steps now to add additional layers of security in those sectors; for example, mass transit.

As you know, we are running pilot programs with regard to explosive technology on both passengers as well as baggage along with Amtrak's route. We are also running some pilots on biological and chemical sensors that certainly, in time, potentially would be deployed both within the units and elsewhere along the mass transit line.

We also know that we put in more canine teams. And a lot of the local communities, with our support, have more plain clothesmen and uniformed police providing greater security.

We also know that on a matter of course the railroad and mass transit companies, on their own volition—because they are partners in this—often go out and review their infrastructure, go through certain tunnels or review the bridges for safety and security purposes.

So there is a good partnership developing. And we will have by the end of this year a national transportation security plan, which will build on, hopefully, some of the technological advancements that we make, some of the initiatives that have already been undertaken.

So I think, to your point, I will get back to you on the voluntary standards. Please know that we are required by presidential directive, as well as part of the mission the Congress gave us to come up with sector-specific protection plans. We are doing that across the country.

And by the end of the year we are also obliged to have a critical infrastructure database. We are working with homeland security advisers in all the states and territories to list critical assets, many of which could be if they were destroyed could turn into weapons and others destroyed would have enormous economic and psychological impact.

So, again, all that is a work in progress.

Ms. DUNN. The gentlelady's time has expired.

My intent is not to cut off either of the speakers; it is to provide an opportunity for each of the folks on both sides to be able to ask questions.

I now yield to myself 5 minutes for the purpose of questioning.

Secretary Ridge, the 9/11 Commission report put a spotlight on some of the inefficiencies in congressional oversight. I think this is a very good time for us to look at our own responsibility and our effectiveness as an oversight body and take advantage of the increased will that we see coming out of the 9/11 Commission when it comes to reforming what our responsibility is.

Do you agree with the 9/11 Commission report that there should be a permanent oversight committee in each body of the Congress?

Mr. RIDGE. I certainly would appreciate the reduction in number of oversight committees. Whether or not in the wisdom of the leadership and the consensus of the bodies in the House and Senate, you could reduce it from 88 to one in each, I will leave it to you.

But it is pretty clear from our perspective, just based on our very appropriate interaction with Congress.

You have got the congressional oversight responsibility. We look to you for the appropriations. So we have to build this department. There has to be a partnership. I happen to think if there was more concentrated emphasis on oversight, we could have a more effective relationship.

To give you an example, Madam Chairman, this year so far the secretary, the undersecretary and the assistant secretaries generally have appeared nearly 160 times at hearings. They have been involved and many of our staff have been involved on the hill over 1,300 times for briefings.

And literally we have hundreds and hundreds of General Accounting Office inquiries. And you know those are enormous, labor-intensive responses that we have to provide, understandably. So anything that the House will do to reduce not the intensity of the oversight, but the number of committees and subcommittees to which we report for oversight would certainly, we think, improve the effectiveness of our interaction and frankly make us a stronger department and more secure country.

Ms. DUNN. Do you think that the committee you are testifying before today has been useful to you in terms of advising you and working with you to protect our country?

Mr. RIDGE. Yes. We have had a good interaction. And, again, how the leadership in both chambers decides to allocate those responsibilities, we have got to leave it to them.

But and I would say to you in response to some of the concerns that some of your colleagues have, I am prepared to stay a little longer. I do want people to get a chance to ask their questions. I have sat on that side of the table myself and appreciate that. I will do as much as I can to accommodate the interest of colleagues on both sides of the aisle.

Ms. DUNN. Thank you very much. We appreciate your sensitivity.

Let me ask you a general question. What would be the two or three first things you would do or you would wish accomplished if there were unlimited funds and time and staffing?

Mr. RIDGE. Much of what I would hope we could accomplish will not be driven as much by money as it will be by science. I mean, I think there are a lot of gaps and weaknesses out there that science and technology may help us fill. And Congress has been very, very generous in that regard.

I suspect, because there continues to be concern about the borders and concern about immigration and concern about matters related to that, that at some point in time there would be additional dollars appropriated for enforcement. But that would require, I think, not only looking at the enforcement side, but what the policy might be relative to our borders.

Ms. DUNN. In the early days of the Department of Homeland Security—and actually up to the current time—there has been discussion about TTIC, where it belongs, who should be overseeing it.

Are you satisfied with the fact that TTIC is now housed with the CIA, or would you rather have that under the Department of Homeland Security?

Mr. RIDGE. We were not initially looking to acquire more responsibility, inasmuch as we are just trying to integrate the responsibilities we had. And it just seems to me that that question has been answered by the embrace of the 9/11 Commission, Congress and the president of the national counterterrorism center.

I think basically that threat integration center has evolved and is evolving into the national counterterrorism center. And as defined by the president and the role it would play according to the president's proposal, frankly, it would provide us probably even better integration of foreign and domestic threat information that we can apply to our role to reduce vulnerabilities and secure the country.

So it is a moot point, Madam Chairman. I think the national counterterrorism center is where the strategic threat assessment will go, and we are quite comfortable with that.

Ms. DUNN. All right. Thank you very much, Mr. Secretary.

The Chair now yields 5 minutes to the gentleman from Washington, Mr. Dicks.

Mr. DICKS. Mr. Secretary, good to see you back on the Hill.

I am very concerned about one subject. Out in our part of the world, port and container security, is a major issue for the port of Seattle, Port of Tacoma. The Chairman has the port Los Angeles.

As you know, the Coast Guard estimated last year that the ports need to make about \$1.5 billion worth of improvements in the near term and roughly, \$7.3 billion over 10 years to meet the security standards set by the Coast Guard, as instructed by Congress in the Maritime Transportation Security Act.

The administration's budget since September 11th have requested only \$46 million for port security.

And although Congress has provided additional money, there remains a billion-dollar funding gap to meet the immediate needs identified by the Coast Guard.

The House approved \$125 million for port security grants this year.

But even that figure leaves us well short of where we need to be to ensure the security of our ports.

And as you remember, just a year or so ago, there was a lockout on the West Coast of our longshoremen. And that immediately had economic implications. And if we ever got into a situation, heaven forbid, that a dirty bomb came in on one of those containers, was shipped to Chicago, it explodes, contamination spreads, there would be a problem, I think, bringing these containers into the ports of Tacoma, Seattle, Los Angeles and the other West Coast ports, with serious economic repercussions.

Now, in light of that, I am concerned that we are still not putting enough money into port security and container security. We are also told that the number of people going abroad—a little group of five goes over for 120 days to get set up for the container inspection program and that the professional are telling us that that is not long enough to get the job done at these foreign ports. And I agree that we have to do this. But let us try to make this effective.

Can you address these issues for me?

Mr. RIDGE. Yes, Congressman, I would. Thank you.

Our ports, appropriately viewed as a potential point of vulnerability, have been the highest priority within the Coast Guard. Obviously, they are the point of the sphere when it comes to maritime security. But they have worked in partnership with Customs and Border Patrol.

And we try to do, once we have identified vulnerabilities, you try to lay in multiple layers, multiple systems so that you do not have a single point of failure. And so then in our job to manage the risk, we do it several different ways.

You correctly pointed out that we begin that whole process with the Container Security Initiative, where today as you and I are having this conversation, we have DHS employees either working or on their way to 25 ports overseas where we work with our allies to use X-ray equipment to, once we have located and targeted high-risk cargo.

The high-risk cargo is identified through a very, very sophisticated operation, based on kinds of data that is being accumulated by Customs. We know a lot about ships; we know a lot about shippers; we know a lot about ports.

And every shipping container is required—everybody sending a container on a vessel to the United States electronically must send a manifest to us 24 hours in advance. If we do not get it 24 hours in advance of loading, it is not loaded.

So we know we get that. We have had about 1,000 do-not-load orders, and they just sit on the side, regardless of the contents, because you did not comply with the regulation.

Once we take a look at that, we have identified about 6 percent of these as high-risk cargo: there was something about the ship, the shipper, potential content, an anomaly in the manifest. There is an algorithm we put together, and we change it all the time.

To give you an example, we had once situation where the manifest said frozen fish, obviously a commercial product, should be distributed from the Pacific to Central or South America. But we also had the ship registered on the manifest, and we knew it was not a refrigerated ship.

Obviously, we opened it, and found hundreds of thousands dollars worth of illegal weapons.

So just an anecdote, but 100 percent review of the manifest. High-risk cargo, we X-ray over there. The ship moves to the United States, we pick up more information about passengers and crew. The National Targeting Center vets the passengers and crew. And sometimes for intelligence purposes, in response to intelligence, we will board vessels before they come into the United States. And then there are security protocols in our states, as well.

Congress said to the Coast Guard: You need to come up security plans at every port. One size does not fit all. You need to sit down and work with the private sector to develop your vulnerability assessments and bring in security measures.

Mr. DICKS. But, Mr. Secretary—

Ms. DUNN. The gentleman's time has expired.

Mr. RIDGE. I am sorry to be so long-winded, Congressman.

I think the original estimate was correct, but it did not say the government necessarily has to pay for it. The government is spending billions and billions and billions of dollars on port security. It

is not as if you have too many companies that cannot afford a little more money to help secure part of their distribution chain. It is a debate we need to have. But I do not think it is fair to say that the federal government is not contributing significantly to the security of our ports. We are.

Ms. DUNN. The gentleman's time has expired.

The Chair yields 5 minutes to the gentleman from Connecticut, Mr. Shays.

Mr. SHAYS. Thank you.

Mr. Ridge, you have done a very fine job in a very difficult position. I have a number of questions. I would like some shorter answers just to cover them as long as you feel like you can answer them.

One, I would like to know what the public's right to know is when we issue a threat. If we know, for instance, that a particular city is targeted, does the public have a right to know that?

Mr. RIDGE. When we have had credible information, as we did about a month ago with regard to a particular community and particular sector in the community, we made it public.

Mr. SHAYS. And is that the consistent policy of the administration?

Mr. RIDGE. Yes. I must tell you that that was made public. There are times when we get threat information, the credibility of which may be questionable or undetermined—

Mr. SHAYS. Okay, I understand.

Mr. RIDGE. —and then we will let those folks—

Mr. SHAYS. How about with cargo? That is not baggage on a passenger plane. Do you think the public has a right to know when cargo is on a plane that is not checked the same way that baggage is checked?

Because 23 percent of all cargo goes in passenger planes. Does the public have a right to know when there is cargo on a plane that is a passenger plane?

Mr. RIDGE. The public has a right to know the security protocols that we have undertaken in order to manage the risk of the cargo in the hull. They have a right to know that we have got a known shipper program. They have a right to know we have got random inspections, but we do not inspect every single item that is in the hull.

They have a right to know we do background checks on crew members and employees have access to it. They have a right to know that we are working on explosive—

Mr. SHAYS. So the answer is kind of no, though, I am gathering from you.

Mr. RIDGE. I think—

Mr. SHAYS. No, I mean, I would like to know if 50 percent of the cargo on a passenger plane is not checked the same way baggage is. I would want to know that. And I know that you believe—

Mr. RIDGE. Yes.

Mr. SHAYS. —believe that the known shipper is important. I do not think it covers my need.

Are you concerned about the assassination of any public official during this campaign season? There has been a lot of talk about

this. Is there dialogue? Is there any threat that public officials are being targeted?

Mr. RIDGE. The most frequent position mentioned in any threat reporting, and I dare say it is probably been historic, regardless of the administration, has been the president of the United States. But other than those threats that we get on a regular basis, and I dare say probably always have and always will from time to time, I do not believe there is any other—

Mr. SHAYS. What is the most important recommendation of the 9/11 Commission, one or two of them, from your perspective, of homeland security?

Mr. RIDGE. The direction to the national intelligence director to do everything they can to make sure that the information is necessary for both federal agencies, but the state and locals to help secure America is shared quickly and effectively.

I think one of the most important responsibilities of this new national intelligence director is to ensure that information sharing continues to improve, and that, frankly, we go back over the old war, Cold War classification of information and the handing caveats that are attached to it, to scrub them to see if they are relevant in combating terrorism. Because I do think we need to get more information down to the state and locals.

Mr. SHAYS. I would like to ask you, with the time I have left, what you think your biggest success is and what your biggest disappointment or biggest failure has been to date.

Mr. RIDGE. I believe in totality gaining greater control over our borders from land, sea and air has been a significant accomplishment, and it has been done within the department with a lot of assistance from the federal agencies. Not the greatest disappointment, but the greatest challenge that it is still going to take us years to deal with is the integration of all the databases that we have to enhance that ability to protect ourselves at the border.

We have the US-VISIT that is connected to multiple databases. But integrating all of that and then frankly the integration of broader information resources in time is I think the biggest challenge. Not a disappointment, it is just the greatest challenge.

Mr. SHAYS. Thank you for your responses.

And thank you. I yield back.

Ms. DUNN. The Chair yields 5 minutes to the gentleman from Massachusetts, Mr. Frank.

Mr. FRANK. Mr. Secretary, in the immigration area, one of the things that struck me about the commission, they quite explicitly said in a staff report that the problem with people coming into this country who are dangerous is not the legal authority to exclude bad people, but the difficulty of administering that.

Would you concur with that? Do we need to change the substantive law or do you now have in the department sufficient legal authority to keep people out; the problem being of course you do not always have the evidence right at hand, et cetera?

Mr. RIDGE. I would dare say that I believe like any older statute, Congressman, Immigration and Naturalization Act is probably in need of review and modification, but there are basic authorities within that statute that are probably eternal that could be the basis for more rigorous enforcement.

Mr. FRANK. Okay. The current law was redone in 1996, so it is not quite as old as some of the other things around here. But you are not aware of a major need to amend the law to tighten up your ability to exclude?

Mr. RIDGE. That is a fair question. Not at this point, but we do have people with Citizenship and Immigration Services reviewing this statute for me presently. I cannot tell you today, but I might tell you tomorrow.

Mr. FRANK. Actually, the commission staff report referred to what they said was the myth that the murderers of September 11 came in legally. And the answer they said was, no, they were not. It was not that the law was not inadequate.

I would be interested in that review. The Civil Liberties Board, I am glad to see the Civil Liberties Board that you referenced—and I appreciate the fact that the commission called for it. I think it is very important, we have this need to give law enforcement more vigorous powers. I think that is virtually, unanimously agreed to when you are dealing with people willing to kill themselves to kill others.

But commensurate with that, you need to have better supervisory authority. And with the best one in the world, we have seen mistakes that were made by law enforcement.

Here is my problem with the board, the board that is supposed to monitor what is done by, presumably, the Justice Department, the Department of Homeland Security and et cetera: It is a board that is composed of all the people that it is monitoring. It is entirely self-policing. It is kind of the like the House Ethics Committee. And that does not give me a lot of hope that it is going to be all that effective.

It is chaired by the deputy attorney general, the undersecretary for border and transportation security. Shouldn't we have some independence built into this? I mean, it is not a case of people being bad people, but it is very hard if you are in charge of an operation and you are in charge of these people, being given the supposedly independent authority to supervise them goes against what we know about human nature. Wouldn't we be better off if we were able to have at least some independent capacity here?

Mr. RIDGE. Well, first of all, I think you know that whatever their deliberations or activity they take, it would be done in a very transparent way. So all those organizations with whom we work, who represent groups—frankly, they represent America's interest in protecting privacy and civil liberties and freedom, will have access to that information.

And, frankly, the make-up of that commission, I believe, exists primarily to establish a culture of privacy and awareness of that within the federal government. And they have plenty of opportunity for external groups to influence that—

Mr. FRANK. Well, I appreciate that about the culture. But I guess I disagree that having the external groups just be able to influence them. I mean, they can do that now. The notion of a board does, generally, suggest some independence from the agencies.

The inspector general have given, for instance—the inspector general's department has more independence from the department's normal operation than this board would. And I am troubled

by there being no—it really is people appealing to themselves and governing themselves. And it does not mean that they are, as I said, weak-minded or not committed, it is just very hard to wear two hats, to be the people running the agency.

I mean, we are talking about the deputy attorney general and the undersecretary. These are people who help run the agency, and then they say, "Okay, now we are through running the agency, we are going put on our hat of monitoring the agency." And I am just not persuaded that is easily done.

Mr. RIDGE. Well, hopefully, at least, you are persuaded that, at least from your perspective, it is a very important first step for us to recognize what the Congress did as it relates to homeland security.

You created that privacy officer with homeland security. And you created a mechanism within homeland security through that privacy officer that we have empowered whenever we begin to discuss anything within homeland security, Congressman, that has any impact on privacy or civil liberties, one or both of those individuals are brought in.

Mr. FRANK. Are they on the board?

Mr. RIDGE. This administration—yes.

Mr. FRANK. Are the privacy officers—

Mr. RIDGE. Yes, yes.

My recollection, Dan Sutherland, whose our civil liberties, and Nuala O'Connor, who is our privacy officer, will be part of that board. And I will tell you, the first time we had it tested in terms of monitoring our own process is when we had to deal with the European Union that had serious privacy concerns about our use of their passenger name records. They took a look at our process and procedures—

Mr. FRANK. But that proves my point because you had an independent entity there, the European Union, that was able to assert that privilege—their concerns. I do not see anything comparable if we are entirely domestic.

Mr. SWEENEY. [Presiding.] The gentleman's time has expired.

Mr. Secretary, welcome. Thank you for being here.

I have very little time because we are running out of time on a vote. But I wanted to get to a specific question I have asked you about in appropriations before.

And as you know, I have spent the better part of the last year with others—Mrs. Lowey and other folks—trying to get a threat-based funding formula passed through Congress.

We asked the 9/11 Commission to consider the change. They made it part of their recommendations. Their quote was: "Homeland security systems should be based strictly on an assessment of risks and vulnerabilities."

In this committee, an underlying first-responder bill has such a formula in place. There is a separate free-standing Bill that make threat, vulnerability and consequences the formula change.

You retain significant authority, regardless of what we are able to do or not to do here in Congress. And if we do not pass such legislation in this next cycle, I am interested in hearing what recommendations you would make, what changes you could make to

really ensure that the federal resources and funds are really getting to those places that are most threatened.

And I hate to do this, because of the appearance of a "New York verses everybody else" proposition or a "rural verse urban" proposition. But I come from the 32nd largest rural district in America, and I do not think that is relevant at all.

It really is not about New York. But New York is obviously a very threatened place. And we seemingly are going backward in terms of what resources we are able to send them. For example, in fiscal year 2003, we sent a total of \$312 million. New York's expenses were somewhere in the range of one billion dollars. We recognized that the federal government is not going to be able to cover everything for any particular jurisdiction. But that was the best we ever did. In 1994, it receded to about \$183 million.

Your Department, because you have political pressures, and I think there is a valid recognition of need in a lot of other places for some minimal level, of preparedness, has essentially taken the high-threat fund that we established in the supplemental in 2003 and really deluded it at the expense of what I believe are the seven or eight jurisdictions that face the greatest threats.

I am wondering if you have alternative plans in mind. What authorities would you use to ensure that those resources are going there? Because Mayor Bloomberg, in New York, as other big-city mayors have told me, they cannot sustain their level of security without bankrupting their jurisdictions.

Mr. RIDGE. Congressman, I think the president outlined a compromise between the ideal and the real. The real is a recognition that within Congress, it is unlikely that we will get away from some kind of formula that effectively distributes a certain number of dollars to every state.

And I think one can make an argument, a persuasive one, that every state is entitled to some modicum of support to build up an internal capacity, just given the random unpredictable nature of terrorism.

However, as the president indicated in the 2005 budget submission, we would prefer to see a substantial number of those dollars removed from the funding formula side to the urban area security initiative side, where on an annual basis, not just population comes into the formula, but a vulnerability, critical infrastructure protection and threat.

There is a certain fluidity to both the threat and the vulnerability. As communities and private sector companies have built up the security and preventive measures around their infrastructure, the vulnerability is reduced, the possibility of attack is reduced, perhaps the level of threat is reduced.

Mr. SWEENEY. Is that the case in New York?

Mr. RIDGE. Pardon me?

Mr. SWEENEY. Is that the case in New York?

Mr. RIDGE. I think there are some cities like New York City and Washington, D.C., and a few other major metropolitan areas that for the foreseeable future are going to require heavy support, no matter what the equation. No matter what the equation is for the Urban Area Security Initiative grants, New York is always going to be at the top of the list, by far. There is not even a close second.

Mr. SWEENEY. Very quickly, we failed in this body in the appropriations process to put the President's number back in, as you will recall, and failed pretty miserably. It puts you, I think, at a distinct disadvantage to really meet those highest threat area needs. And so what are you going to do if we do not change that in conference?

Mr. RIDGE. Well, again, we will take a look at whatever language you have given me, to determine whether or not the dollars that were available previously that we distributed to—we went from 30 to 50 urban communities is compressed, so that fewer communities receive more dollars. It is a question of dollars and threat assessment. But we know there are two or three that are always going to be at the top of the list.

Mr. SWEENEY. Well, I would like to work with you because we have a conference where we could do something.

And I have run out of time. There are 4 minutes remaining in the vote. So we will recess for 10 minutes subject to the call of the Chair and come back.

[Recess.]

Chairman COX. [Presiding.] With the secretary's indulgence, we will proceed with the gentlelady from the Virgin Islands, Ms. Christensen.

Mrs. CHRISTENSEN. Thank you, Mr. Chairman.

And welcome, Mr. Secretary.

I am going to hopefully get in three questions. The first one is a very basic one.

Are all of the directorates, all of the offices, now fully housed and staffed within the department?

Mr. RIDGE. They are fully established. We still have additional analysts to be hired for the information analytical group and more people for the IAIP group generally.

But, by and large, with that and a few more people in the Office of Management, we are pretty much up to required staffing levels.

Mrs. CHRISTENSEN. Okay. Thank you.

I am also glad to hear your focus on border security, because, as you may know, I have sponsored legislation to create a border patrol unit for the U.S. Virgin Islands to deal with both our human and narcotic smuggling that has been increasing in the area. And I am sure you can imagine that as you close the borders in one area, the focus will shift to another. And we are already seeing some increase.

So I raise the issue to solicit your support or at the very least a commitment to work with me on that issue.

Mr. RIDGE. Congresswoman, I would be pleased to take a look at your legislation specifically and see what we could do to support your objective.

Mrs. CHRISTENSEN. Yes. Thank you.

And, you know, as another part of that, from the very outset of your tenure as the secretary of homeland security, you have always stressed the fact that homeland security begins beyond the borders of the United States.

We are also in the region of the Caribbean, and a lot of the network that we are involved with that send some of that human and narcotic traffic to our jurisdiction comes up through the Caribbean region.

The United States has put a lot of demands on the countries of the Caribbean who are very close, long-term neighbors and friends, and they are really ill-prepared to bring their security up to the levels that we are requiring of them. And this country has provided decreasing amounts of aid to the Caribbean region.

Are you aware of any initiative from the federal government to assist these countries in the Caribbean who are struggling right now just to meet their everyday requirements of their own citizens, to deal with the security needs that we are imposing on them to provide security for us?

Mr. RIDGE. Congresswoman, I am not aware of any specific initiative. What I am aware of, however, is a growing recognition, certainly within our department and other places within the administration, that some of the concerns that you have addressed, the change in migration pattern for illegal aliens, drugs and others, is altered because when we close one gap—

Mrs. CHRISTENSEN. Right.

Mr. RIDGE. —and do more in certain areas of the Caribbean, the same network that illegally pushes humans and drugs will find a weaker link or an opening. And to that end, we are taking a look at, even within our department, what we could do to bolster our efforts in that regard in the Caribbean.

Mrs. CHRISTENSEN. Thank you.

Just this morning, the Joint Center for Political and Economic Studies and the New York Academy of Medicine released a report that says terrorism response plans will not protect many Americans. And what they are saying is that many Americans would not be safeguarded because existing terrorism response plans do not account for how people would behave, that current plans have been created in a top-down style, telling people what to do in the event of attacks, without considering all of the risks and concerns that drive people's actions.

So the study documents that only two-fifths of Americans, perhaps, would follow instructions to go to a public vaccination site, in the case of a smallpox outbreak, and only three-fifths would follow the instructions to stay inside an undamaged building other than their home after a dirty bomb explosion.

How do you think the department in their planning can address, or have you begun to address the issue of how people behave under certain circumstances, in that they might not follow the instructions and therefore place more people at risk under events such as these?

Mr. RIDGE. I am not familiar with the specifics of the report, but I dare say without reading it, I probably agree with their conclusions that the response that the emergency and medical community and first responder community would hope for in times of a crisis, a biological attack, a chemical attack, a radiological attack is not necessarily the one they are going to get from people in that community.

And that is why one of our missions is to build and then sustain a public awareness and public education campaign. It was very interesting, I think back to all the political cartoons I have on my desk, when duck tape and sheeting was the subject of some humor. That was to be involved in the emergency kit only for very, very

selective occasions, just a handful when we want you to shelter in place. But there was a reason that it was included.

So the bottom line is that there are different responses to different kinds of attacks. And part of the mission of the Department of Homeland Security—and here is where we can work, I think, in collaboration with the Congress that has the ability to go out and educate as well—we have training responsibilities and we work with emergency management professionals, but to build up the response capability, build up the informational awareness and situational awareness so that the numbers of an appropriate response, of people who are prepared to take an appropriate response, will increase in the next survey. Because I dare say their conclusions are probably correct.

Mrs. CHRISTENSEN. All right, and I think the focus—what they are trying to say is that it is not just an education, a top-down education process, but communities want to be more involved in the planning themselves, and then the response would probably increase.

You have been asked questions about the director of Central Intelligence, but I also wanted to raise a question about that. You assert that the president first gave the director of Central Intelligence expanded authority to coordinate policy and develop the budget for the entire intelligence community while he waits for us to change the law, set up the scope and authority of a national intelligence director.

In light of this and your comments, is it your recommendation that President Bush should endorse or a president should endorse and pledge to sign legislation to establish a national intelligence director with budget and other authority over all of the various intelligence agencies throughout government?

Mr. RIDGE. I believe the president during a congressional briefing last week indicated his total support not only of the concept and the office of national intelligence director, but also expressed publicly to the members, your colleagues assembled, both chambers, both sides of the aisle, that he thought individual should be vested with complete budget authority.

Mrs. CHRISTENSEN. But it would bring together all intelligence under that one director?

Mr. RIDGE. Yes. The budget authority would be brought together under the national intelligence director.

Mrs. CHRISTENSEN. In light of this and your comments, is it your recommendation that President Bush should endorse, or that a president should endorse and pledge to sign legislation to establish a national intelligence director with budget and other authority over all of the various intelligence agencies throughout government?

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Mrs. CHRISTENSEN. But it would bring together all intelligence under that one director?

Mr. RIDGE. Yes. The budget authority would be brought together under the national intelligence director. But as part of the president's proposal, you would have the national intelligence director.

But you would also have a joint intelligence community council; that means those who have a legitimate reason to discuss with the intelligence director intelligence requirements, intelligence needs, budget priorities. There are a lot of operational issues that need to be vetted throughout the intelligence community.

So the president has said, strong national intelligence director, but to be supported and to interact with the joint intelligence community council. And those are all Cabinet-level members who would rely upon the NID for collection and analysis and the like.

Mrs. CHRISTENSEN. One final question. I was not clear that you supported having one committee for oversight. For example, the establishment of this committee—

Mr. RIDGE. I will let you decide which one it should be. Obviously, from our perspective, Madam Congresswoman, the fewer the better. I guess the fewest is one.

[Laughter.]

But there might be something, however, understanding the unique nature of the intelligence role that we play, that at least for the information-analysis piece to be accountable, responsible and to have the oversight from the Intelligence Committee as well.

Mrs. CHRISTENSEN. Thank you.

Thank you, Mr. Chair.

Mr. SHAYS. [Presiding.] Mr. Markey? We will not hit the clock until you actually sit down and say your first word.

Okay. Time has started.

Mr. MARKEY. Can I appeal the Chair?

[Laughter.]

Welcome, Mr. Secretary.

Mr. Secretary, could a Beslan occur in Boston or Birmingham or Baltimore?

Mr. RIDGE. From what I know now, and we still do not have all the information relative to how several dozen terrorists gained control of the school, but based on preliminary information, I would say that it is very unlikely, but there are still probably some lessons to be learned. And right now, much of the information we have received is just through open-source reporting.

But I think in this business, you never say never. And we do need to take a look at what transpired; how so many people managed to get their way, I think, surreptitiously; how so many explosive devices appear to have already been in place; how so many weapons may have already been inside the school.

It is not as if the school was rushed by a platoon of terrorists. There is something else at work here, Congressman. And until I know and all of us know completely what happened, I think it would very difficult to draw conclusions.

Having said that, I think I know where your line of questioning is going. And improving security around our educational system, regardless of Beslan, is something we need to do, and have done and will continue to do.

Mr. MARKEY. Are you in the process of doing an examination of the lessons of this Russian catastrophe?

Mr. RIDGE. Yes. We are, the intelligence community is, and the FBI is.

Again, much of the initial information we received was, frankly, just through their TV commentary and press reports. We are getting more information from the government. But I do not think anyone would conclude that we have complete information yet, Congressman.

But we try to learn from any of these incidents overseas involving a terrorist attack, see if there are lessons we can apply here.

Mr. MARKEY. Obviously, we spend a lot of time talking here about chemical facilities and nuclear facilities, about New York City and Washington, D.C., being potential targets.

Clearly, what has happened here is that the playing field has been broadened by these terrorists, and they realize the impact that they can have upon a country. And, obviously, on September 11th there were 19 terrorists who were suicidal, potentially well armed. And if that kind of an incident occurred in a school, in a community in our country, it would be the most horrific event that we had ever witnessed.

And I think it is very important for us to take all of the steps that are necessary and to articulate to the American people what a plan would be to make sure that we would not have a Beslan which happened in our country.

Mr. RIDGE. Congressman, the horror associated with that incident speaks to the nature of the evil that we are trying to combat. The notion that children in school and their parents and their teachers, innocents all, would be subjected to the horror of the day, in our minds is unspeakable and unconscionable. So we agree on that.

I think we also note, in response to smaller-scale but violence in our schools in the 1990s, there are a lot of schools that began, unfortunately, taking security precautions after Columbine and a series of shootings that occurred in our schools.

A lot of our schools generally reduced the number of places you can enter and exit. Many of them now have uniformed, and some have un-uniformed police officers patrolling the halls. Unfortunately, some have metal detectors. So we already have a level of security.

We have got a Ready for Kids program that is going to be part of our national preparedness campaign we are rolling out, working with the secretary of education.

But we also have to—

Mr. MARKEY. Could I ask you just one more quick question?

Mr. RIDGE. Sure. I am sorry.

Mr. MARKEY. It is on a different subject. And it has to do with the direct flights from Moscow to the United States.

A Washington Post report on September 3 indicated that TSA requires that all cargo loaded onto Delta and Aeroflot planes must also be screened for explosives.

As you know, almost none of the cargo that is carried on U.S. passenger planes is inspected for explosives or other dangerous materials, which is a huge security loophole that puts airline passengers and crew members at risk.

Other than the flights from Russia to the United States, are there any other instances where TSA is currently conducting full screening of all cargo on board?

Chairman COX. The gentleman's time is expired. But, Mr. Secretary, you can answer the question.

Mr. RIDGE. I think, in answer to your question, Congressman, that is an emergency directive, whether or not it remains a permanent part of the security infrastructure remains to be seen. But given the circumstances around the loss of those two flights and what we believe to be the reasons, we decided temporarily we needed to bolster their security measures until such time we were satisfied that they had frankly ramped up to the level of security that they had professed to have achieved long before that incident occurred.

Mr. MARKEY. So you may actually discontinue the inspection of cargo on those flights?

Mr. RIDGE. As we try to manage the risk with regard to that and other flights, we continue to take a look at additional ways to screen cargo. There is a possibility that that would be discontinued, that is correct.

Mr. MARKEY. I think it would be a big mistake not to screen those planes flying into the United States without ensuring that all potential explosives have been searched for on those planes. I do not think that we should run the risk.

Mr. RIDGE. You and I have had some very good discussions with regard to air cargo, and I do not want to leave you the impression that the Russian incident is being ignored.

We continue to require certain levels of inspection from foreign carriers coming in. We are continuing to explore explosive technology for our domestic air cargo to start with potential application overseas down the road.

There are a lot of initiatives that we have undertaken, but I cannot tell you with absolute certainty today that for all time and for all purposes those four or five flights daily in the United States are going to have that technical requirement. We do not know yet. Depends on circumstances.

Mr. MARKEY. Again, I think it is a mistake.

Chairman Cox. [Presiding.] The gentlelady from Texas, Ms. Granger, is recognized for 5 minutes.

Ms. GRANGER. Thank you very much, and thank you for being us again.

When I first came to Congress eight years ago, the numbers that I heard were that we could reasonably accept 300,000 people coming into the United States a year, and we were getting about 1.2 million.

I am looking at a Time magazine article "Who Let the Door Open?" And they say that it is as many as 3 million now coming illegally in the United States, and said a small but growing number come from other countries, and said that 55,890 were apprehended, described officially as "other than Mexicans," because more than often, it is Mexicans.

First of all, I would ask do your numbers—to one side—do you believe those numbers? And the most important question is what

are we going to do about it and what are we doing about our border?

Mr. RIDGE. Our numbers would differ. Unfortunately, I believe, they have to guesstimate the number of people that are not apprehended. Coming in with a conclusive figure about the number of people if you do not actually know who cross the border, I think, is somewhat speculative. But having said that, we admit that we have not closed the border completely.

But I would share with you, Congressman, that I think we have gained significant operational control over the border over the past 18 months with the creation of the department. It is one of our highest priorities. And there is a variety of means that we have used to try to close the border.

We certainly have more agents down there because of congressional appropriations. We have more sensor technology. We have begun to experiment with unmanned aerial vehicles so that we have basically an opportunity to see what is going on in some of the more perilous and difficult terrain that we have difficulty accessing, but illegal aliens use as a route into the United States.

We have much closer cooperation with our friends in the Mexican law enforcement community. So there are a variety of things at our land borders that we continue to promote to try to continue to close the gaps.

Admittedly, we still have work to do.

Ms. GRANGER. What more do you need? What more do you need from us?

Mr. RIDGE. I think, in time, depending on how the experiment with the unmanned aerial vehicles works out, there may be need for more capital, equipment and more agents.

One of the challenges we have is to continue to generate even greater support from our friends in Mexico with regard to really backing down and eliminating the alien smuggling network.

Everyone has great empathy for those young men and women and families that try to come across our borders. We do not look at Mexicans as a terrorist nation or these folks as terrorists. They are coming in for the same reason immigrants did many, many years ago.

But we do have a responsibility to protect our borders and try to ensure that any immigration is legal. And so to the extent that we can do more to break down the illegal network that has been established within Mexico that supports this effort, I think, frankly, we are doing better there, but more cooperation would be helpful.

Ms. GRANGER. I will be going on a tour of the border this coming weekend. And I know what I will see. And they take you to the places where it is regulated crossing. But what we are hearing are the crossings that are certainly not regular crossings.

And, you know, the border is so long, the number of agents—I do not see how we can ever get there from the number of agents. So it has to be technology, it seems to me.

Mr. RIDGE. I think the biggest challenge we have is: What are the kinds of technology that we can deploy along the border that give us the information, the awareness, the alertness that we need to interdict.

And we are experimenting with different kinds of sensors. And the latest experiment, I think, has high potential, great potential, the unmanned aerial vehicles.

Ms. GRANGER. Thank you very much.

Chairman COX. The gentlelady's time has expired.

The gentleman from Maryland, Mr. Cardin, is recognized for 5 minutes.

Mr. CARDIN. Thank you very much, Mr. Chairman.

Mr. Secretary, it is a pleasure to have you once again before our committee.

I want to follow on the Chairman's comments as to how the implementation of the 9/11 Commission's recommendation for a national intelligence director could impact on the operations of your agency, particularly the Information Analysis and Infrastructure Protection Unit, in getting information that is shared particularly with local government.

There is a concern that as Congress considers how to implement the national intelligence director, that there are changes being made or suggestions being made that may affect the Department of Defense and how it gathers information, et cetera.

My concern is that your information analysis section within the Department of Homeland Security, which is of utmost importance for our domestic needs, particularly with local government, that that is not compromised, as it allows local governments to access the up-to-date information in order to protect their communities.

So I just want to give you a little bit more time to express whether this is being carefully reviewed to make sure that the needs of local governments to access information for your department will not be compromised as we implement the 9/11 Commission's recommendations.

Mr. RIDGE. Appreciate the additional time to amplify the earlier response.

There is no doubt in the mind of our professionals within the agency that ceding to the counterterrorism center the responsibility and working with the NID to have a strategic assessment, as it relates to domestic threats, will not compromise the mission that you have given us; and that is to take a look at the domestic threat, match it or map it against either the potential target or the broader potential vulnerability, and make sure you do everything you can to protect the target or reduce the vulnerability.

We will not forego, however, within our own information analysis unit, the responsibility and the obligation to do our own competitive analysis. So we will certainly take a look at the strategic threat, as it relates to the United States and as it relates to an attack, but we will also do our own analysis, just to make sure that we agree.

And if we disagree, obviously, we have got to meet and resolve whatever the disagreement might be.

What I think it does is I think it frees up that Infrastructure Analysis and Infrastructure Protection unit to develop and then sustain more thoroughly the kind of relationship I think Congress wanted the department to build with the state and locals; that is, get this threat information, credible threat information, and make

sure that the right people receive it and that with your support or with your direction, they act upon it.

And one of the challenges I think we have in the new intelligence structure is to determine the best way, the best means of communication of that threat assessment down to the state and locals.

And, I mean, I think we are best equipped as a department or agency to do that because we have built and continued to build out relationship with governors, homeland security advisers, police and fire chiefs at the local level, and even into the private sector, through the Internet, video conferencing.

There are a lot of ways. And we do a lot of it in conjunction with the FBI. But I do not think we need more than a couple of people communicating with the state and locals.

Mr. CARDIN. I appreciate that response. I agree with that.

I think that the Department of Homeland Security is in the best position to maintain those types of relationships with local governments. And if it is through the national intelligence director or through one of the collection agencies, it is a lot more difficult.

So I think that your role needs to be maintained there. And I hope as we work to implement the provisions that that is maintained.

I just want to raise the issue that was raised by Congresswoman Norton, and that is the rail security issues. It has not been as high a priority as some of the other modes of transportation. We do not do the same thing with rail security as we do with other; with air security, for sure.

And I know you are implementing certain pilot demonstration programs. I would just urge you to try to develop a reasonable strategy as quickly as possible working with as many organizations as possible. Because I do think it is an area that cries out for just higher priority as we try to now deal with the vulnerabilities of our country.

Mr. RIDGE. Well, I appreciate the comment. As you know, you gave us some discretion with some of the grant money. And we carved out some for mass transit a year or two ago.

Actually, there were some very appropriate lessons learned there. And you should also know that we have on a daily basis an ongoing working relationship with the railroad industry, mass transit industry generally. And so we are not vetting these independently of their input.

So as we develop our national transportation strategy and then focus in on mass transit, we are going to take a look at lessons learned in Madrid, take a look at the technology and the pilot programs we have been running, take a look at measures, some of the initiatives that some of the initiatives that have been undertaken without any federal support, and see the best combination of protective measures that exist so that we do not compromise the purpose and the use of mass transit.

But I just do not think we are ever going to be able to line up, and you basically undermine the purpose of mass transit. But there is certainly more that we can do, and we are hopeful that technology can fill a substantial part of that security gap.

Mr. CARDIN. Thank you, Mr. Secretary.

Chairman Cox. The chairman of the Subcommittee on Emergency Preparedness and Response, the gentleman from Arizona, Mr. Shadegg, is recognized for 5 minutes.

Mr. SHADEGG. Thank you, Mr. Chairman.

Mr. Secretary, I want to thank you very much for being here. I certainly appreciate your testimony here today and your efforts on our nation's behalf.

I particularly want to express my appreciation for your efforts on the Arizona border, for your visit there last December. As you will recall, we were able to spend the day in helicopters over the border and look at it, and had a great policy discussion thereafter.

I also want to express my appreciation for your efforts on the Arizona Border Control Initiative. I think that, along with the additional allocation of resources to the problem in Arizona of smugglers particularly, the coyotes who bring in individuals for pay, and some of the safe houses that you have been able to go after.

And I just want to make it clear that you understand I appreciate all of those efforts. It has made a material difference. And my constituents for I think the first time in many years see that the federal government is at least focusing on, if not yet solved the problem of an open border on the southern side of the nation.

I think everybody understands this is an extremely difficult issue, but they also appreciate the fact that there are now resources being devoted to the Arizona-Mexico border, whereas in the past, those resources, at least in my district, were perceived as going to other states. So on behalf of the people of Arizona, I want to say thanks.

As you know, there is an article in this week's Time magazine and there has been some focus on the OTMs, other than Mexicans, that are crossing the border that have been intercepted. I wondered if you have a comment about that, as that directly implicates the issue of homeland security and the concern I have, which is of trying to prevent an attack before one occurs.

Mr. RIDGE. The article did not refer to another new initiative. Actually, the article did not refer to anything that we are doing in the Department of Homeland Security, which is a point of frustration, but I guess that is literary license.

Mr. SHADEGG. Here is your shot.

Mr. RIDGE. Well, we are doing a lot. It is a shame some of it was not mentioned in the article. But with regard to the OTMs, other than Mexicans, we have a program now of expedited removal which we are working in two areas to determine the cost and to see how effective it is.

But, frankly, until we had the department, and until we had this expedited removal program, if those illegals came in through a non-port of entry—in other words, if they did not walk up and try to get through one of the regular ports of entry, they came in through wilderness area—we had a difficult time in dealing with them. We sometimes apprehended them, sometimes let them go and said, "Report back for a hearing."

Now, when we apprehend them, we want to them around and send them back to their country of origin.

So I think, again, one of the new initiatives that we are working on dealing with other than Mexican illegals coming across the border at non-ports of entry is the expedited removal program.

In time, I think we will probably look for additional dollars to accelerate the program. We do not want to just replace them across the border, we want to send them back home.

Mr. SHADEGG. As you know, the administration has proposed or considered and is looking at seriously some type of a guest worker program. Those words, in my district, cause some consternation, and yet there are many of us who believe you can never completely seal that border. We have put a lot of people on it.

And I think the prospect of sealing it when the economic pressure to come across is so great, it seems to me we could be better devoting our resources to the people who cross the border with evil intent, with animus, terrorists, if we had a program which set aside and enabled people who want to come here for the economic opportunity, just to get money and send it back home to their families.

And I wondered if you had looked at that issue from that perspective.

Mr. RIDGE. I think it is hugely important from a security perspective if you legitimize the presence of people coming to and from the United States, particularly Mexicans, for work, and accompany that with a much more vigorous enforcement, you will serve to, one, respect the economic needs of both the employee and the employer.

And as the president said, not satisfactory if you are going to replace a job for which an American citizen might be hired, but you respect the economic need of employer and employee, but you also say to those who seek employment here, there is only one way to get it, one legitimate way to get employment.

And I must say this: It is not just more border enforcement along the land border. We are going to have to have some rigorous enforcement within the business community—

Mr. SHADEGG. Absolutely.

Mr. RIDGE. —for those, if we had the program, would seek to still go around the expressed intent of the policy, and that is to legitimize the presence of foreign nationals for employment purposes.

So I can see it adding enormous benefit to our security measures at the border, so we can just focus our people and technology on those who are not legitimately present, period.

Mr. SHADEGG. Those who are a real threat. I could not agree more.

I do not know if I have time remaining. I would like to focus on intelligence for just a moment. A lot of recommendations have been made to us with regard to—

Chairman Cox. The gentleman's time has expired.

Mr. SHADEGG. Thank you, Mr. Chairman.

Chairman Cox. The gentleman from Oregon, Mr. DeFazio, is recognized for 5 minutes.

Mr. DEFAZIO. Thank you, Mr. Chairman.

Mr. Secretary, good to see you again. Thank you.

A quick note, before I get started here, after your last testimony before the committee, I had had some questions about disaster

medical assistance teams and you asked I follow up in writing. I did on March 19th. But we have had no response. If you could prod your staff on that, it would be great.

I think it is an important issue to better utilize them and to get their new chain of command straightened out.

I have some questions relating to aviation, in particular, my concern in the aftermath of the Russian incident, which, actually, I have had a concern long before that about plastics explosives.

Just week before last when I was flying back for a hearing of the aviation committee during the August break, I was flying out of a different airport—Medford—and I watched as a person who had been profiled with the black S's, they took him aside for additional screening, including using a metal detector on the bottoms of his bare feet. He was not wearing socks.

Now, here is the point. They wanded the bottoms of his bare feet. He had the black S's. They did not frisk him. So if he was wearing a suicide belt, they got no clue. You are not going to find a suicide belt with a metal detector or a wand that is hand-held.

And I feel very strongly about, sort of, our protocols here. I asked Admiral Stone that next day at that hearing about that, and said: Are you going to start frisking people who are selectees or otherwise looking for hidden plastics explosives? And at that point, he said, no. I think that is a grave error.

You know, there will be no metal in a plastic explosives belt. I mean, because they are not trying to wound people like in Israel. They just want to take down a plane. It does not have to be in a belt either. It could be otherwise concealed, electronic devices the size of an iPod.

There is technology out there. The staff of Homeland Security admitted in a meeting with aviation staff that the technology for portals is mature. There is no reason to pilot it as we are doing now in five airports this year and nine next year. It is mature. It has worked. It is used at defense installations and nuclear plants.

Can you give me any idea if you are going to push a little here with your folks and maybe move us ahead more quickly on plastic explosives detection?

Mr. RIDGE. Let me respond, I think, in two parts to your inquiry. First of all, I believe since the time you had the conversation with Admiral Stone, the whole issue of patting down folks, in secondary, has been revisited.

And, you know, it is a matter that we constantly wrestle with with privacy, with decency or with how we can appropriately check passengers for the possibility of carrying on their person explosive devices—

Mr. DEFAZIO. Right.

Mr. RIDGE. We decided to change that policy and allow for a different and more vigorous body check, again, trying to respond to the concerns of privacy and decency and the like.

Previous patting was actually with the external part of your—as crazy as it may sound, but we had people patting down the back of their hands. And that has been changed so that a more thorough and more routine patting down can occur.

And of course, there is the gender-specific, as well. But we are going to try to address it in as delicate and as responsible and respectful a way as possible.

I do not know the staff members that concluded that the technology is cost-effective and error prone, or at least it does not give us a false-positive rate at a level that would cause us to think twice about it, but I will personally get back to you within the next 10 days on that issue, so that the delay between the last letter and now, which hopefully we will rectify by then, but I will get back to you personally on that issue.

Mr. DEFAZIO. Well, in addition to the trace portals, I have seen the ion scan at National; that is a good step forward. But there is also—

Mr. RIDGE. I am just not sure how accurate, I am not sure how—I do not have the technical assessment with me. I will personally get back to you on that.

Mr. DEFAZIO. Okay. There is another promising technology, too, which, again, I had demonstrated a couple years ago, which is a back scatter X-ray which exposes a person down to the skin. And what I heard two years ago from I think Admiral Loy at the time, or maybe it was still even Mr. McGaw, was, well, the potential for embarrassment.

I said, "Well, you know, we can take care of that technologically. You give them whatever body they want. It just shows where on the body things are located."

And Admiral Stone said there is a big breakthrough and now they have developed it so they can do it with a stick figure.

It should not have taken two years.

And that also is very promising to find things concealed on the body.

So I would hope that we can just move ahead with some sense of urgency, because I just think we are biding our time until we see a similar attempt on a U.S. flight.

And given the fact that we are doing a much better job on baggage, even though that is not totally secure yet, I expect they may well try carry-on explosives, and we need to do what we can there.

Mr. RIDGE. Congressman, I want to assure you, we share the sense of urgency. You have given us—been very generous to our science and technology unit, and we are looking precisely for those kind of technologies to add another layer of security to aviation.

Mr. DEFAZIO. Thank you.

Thank you, Mr. Chairman.

Chairman Cox. The gentleman's time is expired.

The gentlelady from New York, Ms. Lowey, is recognized for 5 minutes.

Mrs. LOWEY. Thank you, Mr. Chairman.

And welcome, Mr. Secretary.

While the focus in the media and in Congress with respect to the September 11 Commission report has been on the major structural changes recommended, I hope that we can focus for a moment on the recommendations that could be implemented immediately, in many cases without enacting legislation.

Strengthening airport security, and I think it is appropriate that I am following my good friend Mr. DeFazio, because we have both

been working in this area, and it has been one of the areas in which we have an identifiable failure and specific commonsense remedies at our disposal.

We know that in the wake of September 11th we passed legislation requiring the physical screening of all airport workers. We know that airport workers have been implicated in plans to use their access to secure airport facilities for illegal operations. The most recent major case in the news was the drug smuggling ring at JFK Airport in New York.

And as you may know, a June 2004 GAO report, a report with which TSA generally agreed, found that vulnerabilities in airport security remain, and that the most recent security directives failed to fully address these concerns.

The 9/11 Commission report recommends clearly that a TSA security plan "take into consideration the full array of possible enemy tactics, such as the use of insiders."

When I asked Chairman Kean about worker screening, he replied firmly, "Everybody should go through metal detectors. Everybody should go through metal detectors. My belief, without exception."

Mr. Secretary, I was pleased before that, within another context, you referred to international standards. Many of my colleagues and I have repeatedly urged the adoption of stricter worker screening standards in our nation's airports. We have repeatedly been told by TSA that they are too expensive, too inconvenient to implement.

However, at Heathrow Airport in London, the busiest international airport in the world, 100 percent of workers are physically screened, and that at Charles de Gaulle in Paris, they are working to meet that standard.

Well, first of all, to my understanding, no cost analysis of such a screening has ever been done. And even so, I would hope that cost and inconvenience would not be the deciding factor besides whether or not the TSA implements such a program.

And just a few questions. How would you suggest I answer my constituents who ask why airport workers who are going into secure, sterile areas—food service workers, ramp worker, et cetera—are not subject to the same physical screening standard as airline passengers?

Are there other fundamental security procedures that have been considered and then rejected because of a perceived inconvenience?

And will you, Mr. Secretary, perhaps we can make news today, will you issue a security directive requiring that all airport workers and their possessions receive the same physical screening as passengers?

Now, I have to just tell you, I have a congressional badge. I expect that I am going to go through the metal detectors. But the workers, ramp workers, food caterers, had their background check, which might have been issued two years ago. They do not have to go through metal detectors. It is left up to the discretion of the airports.

I think this is absurd. It is outrageous. Can you make a decision today directing the TSA to issue that order that everyone who has access to secure, sterile areas must go through the metal detectors?

Mr. RIDGE. We have been in the process of reviewing some security directives that would subject employees to go through a physical inspection—

Mrs. LOWEY. Could I be rude and interrupt you?

Mr. RIDGE. No, if you would just bear with me 30 seconds, so I can check. Along with a contract that we let out to an organization to begin to accelerate the process for transportation worker identification cards so we can do background checks, biometrics, et cetera, as well.

I just need to confirm something. If you will excuse me, Madam Congresswoman. Bear with me.

I ask the unanimous consent that the gentlelady have another however much time I am consuming by—

Chairman COX. The witness is out of order.

Mr. RIDGE. Just wanted to make sure, Congresswoman.

We have implemented additional screening requirements for airport workers that come into the secure areas so that they will be physically inspected.

There are other zones, yet—and this is the worker who may be involved in one of the shops or the restaurants, et cetera, so when they come in, they are inspected.

The secure area, the sterile area, that around the airplanes themselves, the ramp area, they are to be covered under the transportation worker program identification card where we do background checks, issue a biometrics, so we can make a decision that these are not terrorists. They are who they say they are. We have confirmed their identity not only with a background check, but with a security check.

So we are not quite where you want us to be. But we have begun the process of running employees who work in the secured area through physical inspections.

Mrs. LOWEY. If I may just continue for a moment—

Mr. RIDGE. Please.

Mrs. LOWEY. —and I know Mr. DeFazio has been working on this, as I have, and he probably much longer.

Number one, he has requested information from FAA and TSA that he has not received—we have not received—clearly outlining the security procedures in place at each airport. Because, as you well know, or your staff in consulting with you, it is up to the individual airport.

I think this is outrageous. This has been going on—it is three years since 9/11—

Mr. DEFAZIO. Nita? Nita? Could I? I am sorry, it is over here.

Actually, he did. And it is confusing because they talk about secure and sterile. The major focus of what I had been asking and they could not provide was about the secure areas and the workers going into the terminals. They now have a uniform rule that everybody has to go through screening.

Now the other area in question is the one you are raising questions about, which is the sterile area—

Mrs. LOWEY. Correct.

Mr. RIDGE. Which is access to the airplanes and the—

Chairman COX. The gentlelady's time has expired. The time belongs to Mr. Pascrell.

And I have already granted the gentlelady an additional minute and a half, but the secretary can certainly answer the question.

Mrs. LOWEY. Well, let me just make, if I may, one, if you could get back to me, it is my understanding that airport workers are still going into sterile areas without going through metal detectors. And I have been told by the local airport and other airports, until it is mandated, until this cost is picked up, they cannot do it.

I think this directive has to be put in place. I will keep going through metal detectors; you should; and everyone who could possibly put an explosive on a plane, seems to me, should be going through a metal detector. And it is so simple. We do not have to go through this great reorganization of our government.

Chairman COX. Gentlelady's time has expired.

Mrs. LOWEY. Thank you, Mr. Chairman, for your indulgence. And I hope we can continue the discussion.

Chairman COX. The gentleman from New Jersey, Mr. Pascrell, is recognized for 5 minutes.

Mr. PASCRELL. Thank you, Mr. Chairman.

Mr. Secretary, there are a few areas in the 9/11 report which the Homeland Security Department does not have direct attention to, and that is in the area of our relationships with other countries. You brought up one of the examples of biometric standards, looking for a universal standard, because we are going to need the cooperation of other countries in order to employ that particular standard. How critical it is.

And chapter 12 of the 9/11 report deals with the subject of our relationships with other countries. And you know that, Mr. Secretary, I am not asking you respond to this, you know our relationships with other countries in the last two years has gone south, whether we are talking about Ireland, whether we are talking about Greece, whether we are talking about a lot of other countries.

Not only in the biometric standards are we seeking to have cooperation from other countries, but we need cooperation from other countries if we are going to check the containers that come into this country.

We cannot—we cannot—we have been told over and over again, have enough of the state-of-the-art to check every container, the millions of containers that come into this country, from every port into our ports into this country, and that is why we have sought—and some countries are cooperating; many countries are cooperating, from what I understand—that they are checking the container before it gets on the ship that is coming to the United States of America.

And this is only part of the example. If we do not have the cooperation from other countries, we cannot do—you cannot do your job, we cannot do our job.

Would you just briefly comment on that?

Mr. RIDGE. First of all, in a broader context, Congressman, I think you are right. As we try to build a global response to a global threat, and we improve security around commercial aviation and commercial shipping, and to improve the process around where all countries are comfortable with people and cargo coming across their borders, therefore developing standards with regard to mari-

time safety, aviation safety, document authentication and identity verification is critically important.

I would say there has been great cooperation in those areas among our allies. The Coast Guard took the lead in working with the International Maritime Organization to begin developing security measures relating to ports and vessels, and Congress followed on when it passed the Maritime Transportation and Safety Act.

We have begun working with the European Union on getting advance passenger information, and along that process have begun discussions with them about biometric standards that will provide added layers of security so that we know the person that gets the document is the person that comes into this country.

We are working a process right now within our own Department of State so that if a foreigner gets a visa, they will have their photograph taken, the finger scans given so that when they come into a port of entry here, we can match the photograph and the finger scans. That is helping us domestically; we need international standards like that across the board.

The Container Security Initiative, we are in 25 countries. We are not there unless they agree. And matter of fact, most of those countries help pay for the technology.

So with regard to some of the initiatives that we have undertaken, and certainly from a law enforcement and an information sharing-basis, I think the collaboration within the broader world community has been very, very good. And frankly I think it is getting better.

Mr. PASCRELL. We need the international community, there are no two ways about it. And I hope that we can have damage control. And I hope with people like yourself—yourself—that you will have—you know, because Chapter 12 has been ignored by most folks who look into the commission report, and that is a critical part of this.

You know, I have seen fear. I have seen terror in the faces of people, Mr. Secretary. We do not need folks attacking us, because we are talking about non-state terrorism, for the most part. But I have seen terror on the streets of America of folks who cannot look out their windows in areas that are consumed by illicit drugs.

And I am very concerned about that terror that is just as real as the terror that you are doing such a wonderful job in. I am very concerned about drugs. They are off the map. We do not even talk about them.

And you know you can go to most cities in this country, and there is terror, and it is spreading into the suburban communities, and it has been spreading for a long time.

I am not making a political statement. I remember when we first started this committee.

Chairman Cox. The gentleman's time has expired.

The gentleman may proceed with the balance of his question.

Mr. PASCRELL. Thank you, Mr. Chairman.

I remember when we first started this committee, we asked the Coast Guard and we asked the FBI if we were going to be taking away personnel and resources in looking at non-state terrorism and perhaps neglecting the interdiction which is so critical to more and

more drugs which are getting into this country. That is, to me, part of homeland security, isn't it?

Mr. RIDGE. I think, number one, you should know that all the agencies that we inherited who had a role within our war to combat illicit drug traffic still participate aggressively and very, very effectively.

You are right, Congressman, it is another form of chemical warfare, and we have been waging that battle for a long, long time, and it is a weapon of mass effect.

But you should be assured that the resources we have—I mean, there is so much interplay between illicit drug networks and illegal human networks, smuggling networks and potential terrorist networks so that when we work with the Mexican community with regard to illegal human smuggling or drugs or others, you should know that that collaboration has improved significantly.

And we have not lost sight of the fact that an historic mission or responsibility for the Coast Guard and for other elements within our department is combating drugs, and frankly, pulling these together—these units together under one department.

And I would love to have Roger Mackin come up and spend some time with you. He has done a wonderful job in our department seeing to it that these resources have been integrated. We see change in the migratory pattern of drug traffic because of the interdictions in a certain part of the Caribbean and efforts we have undertaken both with all the assets we have and other resources within the federal government. We are seeing some of the drug flow patterns change because the interdiction is getting much, much better.

So I am going to make it a point to have Roger come up and spend a little time with you. I think you would be very comforted and appreciate the fact that even within this Department of Homeland Security, this historic mission has—we have a sense of urgency about it, and we have made some significant changes in affecting the flow of drugs to the country.

Chairman COX. The gentlelady from Texas, Ms. Jackson Lee, is recognized for 5 minutes.

Ms. JACKSON-LEE. Thank you very much, Mr. Secretary.

Thank you, Mr. Chairman and Ranking Member.

Mr. Secretary, I think we to a one have said that you have done a very able job on a very, very tough task, and I thank you for it. I am going to try and run through this like a locomotive train.

One, if you could refer to the Transportation Security Administration on this expedited card process where you had the five pilot airports that were engaging in it, where you get an ID card—can I ask you to extend on that?

There was a 2,000 cap, meaning you enrolled 2,000 persons. I think it was a 90-day—and we are being asked all over the country if it could be extended for 30 days. And that is just a request. If you can get me an answer back.

Houston happens to be one of the airports. And we would appreciate that extension, if you could do so.

A quick question: Do we have enough money to fund the US-VISIT program and have the proper staff? Also, would you comment on your understanding and support of the concept of the privacy office that was recommended by the 9/11 Commission?

Three quick questions together.

And the last one: I wrote a letter on March 19, 2004, where I inquired as to what security enhancements are reimbursable. A letter came back. But one of the concerns that was raised was this whole idea of the monies coming to the states—you have heard this many, many times—and then having to translate into smaller jurisdictions like cities.

Houston happens to be the fourth largest city in the nation. And my concern is that in those instances, many time politics gets in the way sometimes of the generating of those dollars. Mayors have asked you, some of us have asked you—I happen to be one of those that believes dollars should go to the more vulnerable places—so I support the concepts of New York and California and Houston.

Could you help us in how we can eliminate the politics when you start sending dollars to states and then local jurisdictions are somewhat inhibited by getting those dollars? Maybe you could just talk about the sort of fire wall that prevents any kind of negative politics from getting to—cities not getting dollars.

The last two points are somewhat testimonial statements. Lou Dobbs, the Times, everyone has been talking about the trials and tribulations at the border. I just came back from the border, just a few weeks or so ago. There is just a great catastrophe, if you will.

But I am glad to hear you mention the fact that the borders are more of concern than the 12 million to 14 million undocumented that are in this country that are already here working and paying taxes and doing what they need to do, and that has to do with fixing the immigration system.

How can we best work with the borders? How can we border states best work with you? How can we get more dollars for border patrol and technology and as well provide more beds for detainees when they actually are arrested?

And I come to my last point, which has to do with the whole question of the organization of the Department of Homeland Security, pursuant to 9/11.

One, give me your answer again about the structure of committees in the Congress, what is better suited for you in terms of committees. And give me an answer as it relates to the real reform of the intelligence system, how important that is for the Homeland Security Committee to get good intelligence in order to be able to secure the homeland.

I would offer my own editorial comment and just say that I know that there is testimony going on today on a person nominated. I am not sure for what, because we do not know whether we are looking at a national intelligence director.

But let me just say, with respect to Mr. Goss, my concern is that there is not a sense of independence; there is not a sense of being a reformer. And I might question someone who was averse to having an investigation of the CIA when there were questions about whether a covert agent had been uncovered.

So I hope that you will weigh in, quietly, on how the intelligence will be effective and you working in the Homeland Security Department.

But in any event, I know hopefully you will be able to answer, at least partially, some of my questions.

Thank you.

Mr. RIDGE. Congresswoman, let me see if I can respond quickly to all very appropriate questions.

First of all, I will tell you that it is unlikely that you will see a 30-day extension. Frankly, if there is good lessons learned, with regard to the registered traveler program—we think there will be—we would like to expand it nationally, not on a pilot, but make it a national program.

So I think it is unlikely—we felt 90 days was time enough—I think it is unlikely we will get the extension.

Yes, we do have sufficient dollars coming, I think, in the fiscal year 2005 budget for US-VISIT. We will be asking for more as we prepare a budget for next year.

The notion of a privacy council, given all the initiatives that this government has taken since 9/11 to enhance security I think is very consistent with what America would expect, what the president wants, and what the Congress frankly directed we do within Homeland Security; and that is we must continue to preserve the freedoms and liberties and the protections we have had as we combat terrorism.

And we must generate and create a culture of awareness of these privacy concerns so that at the very outset, as we are thinking about new initiatives that would enhance security, we would be worried about the privacy, and we would be worried about civil liberties.

And so I think it is a historic move. It is something that has been done in other parts of the world. And whatever the ultimate constitution of that committee might be, the president has taken I think a very appropriate bold step by saying, administration-wide, we are going to have this privacy council.

I know the two extraordinary attorneys that I have on my staff, one dealing with civil liberties and freedom, the other dealing with privacy issues will be part of that group, so—

Ms. GRANGER. [Presiding.] I am going to interrupt you, Mr. Secretary. I am sorry. We have got a vote, and we have got one last person to ask questions, Mr. Etheridge.

Mr. RIDGE. All right, well, let us let him go. And I am going to call you, Congresswoman, and answer the rest of the questions.

Ms. GRANGER. Good. Thank you.

Mr. ETHERIDGE. Thank you.

And thank you, Mr. Secretary, and thank you for staying. You have a huge challenge in the broad breadth of what you have to do.

Let me return back to one. I have asked this question to a number of our witnesses when I have had the opportunity and—

Ms. GRANGER. We have 9 minutes left before the vote.

Mr. ETHERIDGE. —and I must confess, we have not gotten a resolution to it yet. You started on it, well, just let me return.

Just last week, the America Preparedness Campaign released their report on the preparedness of America's 20 largest school districts, by and large most of them are metropolitan, urban school districts, in their preparedness for security, terror, et cetera.

And certainly the incidents in Russia shocked us all, shocked us to a new realization. And having served as a superintendent of

schools in North Carolina, I think we have done a lot of things putting people in place.

My question is, though in keeping with that, because it is not uniform across the country as you well know—urban as well as rural—do you think the schools should be added to the national critical infrastructure list of having enough information to be able to pull together a critical infrastructure of what needs to happen in response, or what ought to happen?

Mr. RIDGE. Well, I think, first of all, we know schools are certainly intellectually and emotionally part of our critical infrastructure.

Mr. ETHERIDGE. Absolutely.

Mr. RIDGE. I also think that we have said that out of the billions we are giving to state and local governments, some of those dollars are eligible to be used to enhance security around schools as well. So whether or not they are on a national list of private sector infrastructure, it is not as important as they are eligible for some of the dollars, the billions of dollars we distributed to the states and locals, depending on the need of that school district or that school—

Mr. ETHERIDGE. Let me follow that up—

Ms. GRANGER. Mr. Etheridge, let me say, we have about 6 minutes left before the vote. And of course we promised Secretary Ridge that he would be out of here by 4:30. So if you can do it very quickly.

Mr. ETHERIDGE. I still I have a little time on my clock please. I was here for the last meeting and did not get to ask questions.

Ms. GRANGER. All right.

Mr. ETHERIDGE. Mr. Secretary, in keeping with that, we have a lot of schools that, in addition to that, children in a lot of trailers across America. And they are isolated from the main buildings for security purposes.

And in addition to what you have just said, they add an additional vulnerability for principals and teachers and those who are in those buildings because I know of instances where we have had situations not like what happened in Russia.

Would you care to comment on that? Because I think that is a critical piece as we look down the road, and not just say they are eligible.

Mr. RIDGE. I must say, respectfully, to a former superintendent talking to a former governor, there is a shared responsibility—

Mr. ETHERIDGE. Absolutely.

Mr. RIDGE. —when it comes to education. And the decision for whatever reason for a particular school district to isolate a building from the main school is certainly within the purview of that school district or that secretary of education. And if there is, frankly, if there are attendant security problems associated with that permanent isolation of the building, one could argue very appropriately that it is much more a responsibility of the local or the state government.

Having said that, Ready for Kids will be part of our roll-out of our national preparedness campaign, working with the school districts to review security procedures, evacuation procedures, emergency procedures when the children might be required to stay at

school, and under what circumstances not only do they stay, but how we support them.

There are a large range of issues where I do think the federal government has a role to play and federal resources can be used. Not to get down in the weeds, but the kind of situation you described, I think, is much more local and state than federal.

Mr. ETHERIDGE. Let me clarify that. I think you misunderstood my question.

In some cases, you have school districts who are growing so rapidly or for lack of resources, they wind up being isolated unintentionally because they are in trailers rather than the main building. And this creates some additional problem.

And if we can make resources available to those who are at least eligible, I think it would add a lot of security to those local jurisdictions.

Mr. RIDGE. I think the first responsibility of the local school district and the state department of education is to educate and, secondly, to make sure they are being educated in a secure environment.

There is a role that the federal government has in support of both of those missions. And we have made some progress in advancing those roles with the Ready for Kids, working with the Department of Education on some of the procedures that I mentioned.

And from a personal point of view, I would love to continue the private conversation, since we ran out of time.

Mr. ETHERIDGE. I would like to do that, if we could, please. Thank you.

And I yield back.

Ms. GRANGER. I thank Secretary Ridge for his valuable testimony and the members for their questions and participation.

The member of the committee may have some additional questions for the witness, and we will ask you to respond to those in writing.

The hearing record will be held open for 10 days.

[Whereupon, at 4:30 p.m., the committee was adjourned.]

FOR THE RECORD

THE HONORABLE TOM RIDGES'S RESPONSES TO QUESTIONS FOR THE RECORD FROM
THE HONORABLE JOHN E. SWEENEY

ACTING ASSISTANT SECRETARY FOR INFORMATION ANALYSIS KAREN MORR SUBMITS
ON BEHALF OF DHS.

If all the President's announced intelligence reform initiatives and Executive Orders were fully implemented today, how would it strengthen:

Collection of terrorist network information:

Response: The collection of terrorism information requires a robust collection capability that fully leverages the Homeland Security Community, Intelligence Community (IC), Law Enforcement (LE), and other Communities of Interest (COIs) collection and information-gathering resources. The collection of terrorism information is a matter of national concern and an area in which overarching collection guidelines would serve to ensure the integration of collection activities among Federal and non-federal collectors of terrorism information. The National Counterterrorism Center (NCTC) in concert with the Interagency Intelligence Committee on Terrorism (IICT)* will work to identify a common list of terrorism information needs to ensure collection is appropriately tasked to fulfill intelligence gaps and shortfalls.

The DHS Office of Information Analysis (IA) has several efforts underway to increase reporting from within the Department and from nontraditional external part-

ners. Jointly with the FBI, IA produced Terrorist Threat Reporting Guides to improve information collection from state and local law enforcement and homeland security officials as well as from critical infrastructure owners, operators, and security managers. IA is also developing a cadre of reports officers who are exploiting DHS-origin information to publish that of counterterrorism interest and is of value to the greater communities of interest.

** The IICT is the interagency forum for coordination and cooperation on counterterrorism-related intelligence activities, including collection requirements. The IICT has representation from over 50 U.S. government agencies and organizations from the intelligence, law enforcement, regulatory, defense, and consequence management communities. The Committee currently reviews terrorism priorities on a quarterly basis.*

Integration of intelligence and infrastructure vulnerability:

Response: Through the Homeland Security Act of 2002, the Department of Homeland Security (DHS) Information Analysis and Infrastructure Protection (IAIP) Directorate is charged with “integrating relevant information, intelligence analyses, and vulnerability assessments (whether such information, analyses, or assessments are provided or produced by the Department or others) to identify protective priorities and support protective measures by the Department, by other executive agencies, by State and local government personnel, agencies, and authorities, by the private sector, and by other entities.” IAIP fuses intelligence and infrastructure information by performing risk analysis and assessment activities, including the development of protective measures.

As established by the Office of Infrastructure Protection and serving as an extension of the Homeland Security Operations Center (HSOC), the National Infrastructure Coordinating Center (NICC) maintains operational awareness of the nation’s critical infrastructures and key resources, and provides a mechanism and process for information sharing and coordination between and among government, critical infrastructure owners and operators, and other industry partners. In support of its mission and that of the IAIP, the NICC will continue to provide real-time operational and situational awareness of the nation’s critical infrastructures and key resources to IAIP and the HSOC, as well as between and across all infrastructure sectors. Real-time sector awareness information, fused with intelligence data and risk analyses from the directorate, will continue to enhance the domestic counterterrorism focus of IAIP and DHS.

The creation of the NCTC re-emphasizes the critical national requirement to develop an environment for the fusion of information related to terrorism. The DHS IAIP responsibility under this construct is to ensure that its needs for all-source intelligence information and finished threat products are communicated to the NCTC. The Office of Information Analysis (IA) within IAIP is required under statute to mesh intelligence information with infrastructure vulnerability data and develop risk assessments for the homeland. While much of this work requires that IAIP have ‘raw’ intelligence access, some efforts can be completed by NCTC delivering products that respond specifically to IAIP’s needs. In addition, IA, as the DHS Departmental Intelligence Headquarters, must deliver DHS-origin information to the Intelligence Community that can support counterterrorism operational and analytic efforts. NCTC can be a supporting mechanism in this regard as well, as it continues to build out the infrastructure for disseminating information at all classification levels.

Productive competition in the analytic intelligence community:

Response: The Intelligence Reform and Terrorism Prevention Act of 2004 (the Act) will have a substantial impact strengthening competitive analysis (also known as “alternative analysis” or “red cell” or “red team” analysis) within the Intelligence Community (IC). The Act, for the first time, mandates the conduct of such analysis across the IC. It will give impetus to those IC components that do not currently conduct such analysis, and further spur those that do.

The wording of the Act, however, is very general. It will have the greatest positive impact if it is implemented to encourage use of the broadest possible range of innovative alternative analysis/red team techniques to address intelligence and homeland security issues. It will have less positive impact if applied in a “cookie-cutter” way to require merely the provision of one alternative assessment for each mainline assessment (one potential interpretation of the Act). Competitive analysis requires innovation and diverse approaches.

In the Department of Homeland Security (DHS), the Information Analysis and Infrastructure Protection (IAIP) Analytic Red Cell is working with mainline analysts to constantly enhance the range of alternative, creative approaches to analysis to broaden thinking, challenge assumptions, prevent surprise, and ultimately explore ways to more rationally deploy security and intelligence resources. This includes conducting analysis on issues that mainline analysts have not yet focused on, pro-

viding outside independent perspectives that may or may not track with mainstream analysis, and conducting contrarian analysis.

The Executive Order that preceded the Act may also benefit this kind of analysis in DHS and the homeland security community because it calls for the National Counterterrorism Center (NCTC) to share information necessary for the conduct of alternative analysis in the IC. This will ensure that the DHS IAIP Analytic Red Cell can perform its function of providing and promoting alternative assessments based on the most up-to-date and pertinent information on threats, vulnerabilities, and countermeasures affecting the homeland.

Information sharing with State and local government entities, and

Response: The Executive Orders and Intelligence Reform initiatives will help to strengthen the Department of Homeland Security's ability to communicate with state, territorial, tribal, local, and private sector officials in ways that protect the privacy and civil liberties of American citizens and legal permanent residents. The Secretary of DHS will work with other Federal agencies, including the Director of National Intelligence (DNI) to assure that terrorism information sharing and collaboration among all levels of government are executed in a manner to achieve enhanced fusion of information. Information sharing is far more extensive than simply intelligence. DHS and its leadership will continue to strive to provide a single, unified voice on behalf of the Federal government to our State, territorial, tribal, local, and private sector partners.

Information sharing with the private sector?

Response: The Department of Homeland Security (DHS) estimates that approximately 85 percent of our critical infrastructure and key resources are owned or operated by the private sector. They are the front line in securing many of the nation's critical infrastructure assets. The President's proposed legislation, Executive Orders, and intelligence reform initiatives have identified that information sharing is critical to the exchange of terrorist threat and other homeland security information with the private sector, state and local governments and among federal governmental agencies. Strategic threat information enables owners and operators to focus. Actionable tactical threat information allows them to assess risk and respond appropriately in a timely manner. There are currently a number of ongoing successful programs for the two-way sharing of unclassified information with the private sector. Implementation of the Critical Infrastructure Information Act of 2002 and the establishment of the Homeland Security Information Network are two examples. Additionally, the Department continues to dedicate resources to the process of granting appropriate security clearances to private sector individuals. This furthers our ability to share classified terrorist threat information and other sensitive products that address the security of and potential threats to our critical infrastructure and key resources.

Secretary Ridge, I have asked you repeatedly on the record, in questions for the record and of your senior staff the same question without resolution. The FY05 House Homeland Security Appropriations bill advises you to stand up an Office of Geospatial Management within the CIO's office to create a Department Wide Geospatial Information System capability. Specifically, when will you stand up this office and where will it be located organizationally?

Response: The DHS Geospatial Management Office (GMO) has been established within the DHS Office of The Chief Information Officer (CIO) and is currently operational within the Department. The GMO is responsible within the Department to coordinate geospatial information needs, requirements and other related spatial data activities that support the Enterprise Geospatial Information System (E-GIS) capability. The GMO will provide clear and concise policy direction across the Department as needed for an E-GIS geospatial information capability. The GMO will guide the development and execution of the implementation plan for the geospatial enablement of DHS mission systems. The plan will provide a common set of geospatial data management and processing capabilities that will be incorporated into the emerging Homeland Security (HLS) Enterprise Architecture. This will allow the Department to further enable awareness, prevention, protection, response, recovery of the homeland security mission.

From the perspective of DHS, do you support the 9/11 recommendation to declassify the top line intelligence budget?

Response: Both the 9/11 Commission and the United States Congress have done extensive and indispensable work in the area of intelligence reform and made valuable recommendations in reference to a Director of National Intelligence. Similarly, steps need to be taken to ensure sensitive information remain protected from our

terrorist adversaries that have shown their desire and willingness to use all means possible to gain information about the United States Intelligence Community.

Mr. Secretary, do you agree with the 9/11 recommendation to establish an open source analysis center? If so, specifically how would DHS accomplish this task financially and organizationally?

Response: In their quest to gain information from all possible sources, terrorists have proven willing and able to use open sources for their purposes. Intelligence Community (IC) members recognize this vulnerability and as a result, personnel are working daily to analyze this type of intelligence. The IC will address this issue, as well as the placement, organization, and financing of any future centers as plans for the reorganization of the IC continue to take shape. As we do so, it will be important to ensure that all actions are consistent with protecting privacy and the civil liberties of the American people.

With centralization of intelligence analysis production priorities, how will DHS keep a high priority on integration of intelligence and infrastructure vulnerability information?

Response: The Office of Information Analysis (IA) will continue to act as the Office of Intelligence for DHS and will collaborate on intelligence related to the terrorist threat with NCTC elements. Specifically, IA will provide support to the Department by continuing to develop and execute information sharing relationships and procedures with State, territorial, tribal, local, and private sector officials, will work with IP to support risk analysis and assessments and development of protective measures, will provide direct support to the Secretary and Department Senior Staff, and will support the Homeland Security Advisory System (HSAS). IA will also continue to represent DHS component requirements to the Intelligence Community (IC), perform threat assessments on domestic terrorism, foster international agreements for information sharing, and perform alternative analysis. Additionally, the IA roles of developing a cadre of Homeland Security Analysts for DHS and the IC and developing an education and training program for DHS analysts and intelligence professionals will increase in scope.

Further, the Intelligence Community works selectively with critical infrastructure and key resource sectors, depending on the nature of specific issues and the agencies involved. These relationships and processes are based primarily on past experience and existing relationships. In July 2004, the White House asked the National Infrastructure Advisory Council (NIAC) to develop recommendations that would improve the utilization and effectiveness of intelligence capabilities to protect critical infrastructure. The NIAC members are appointed by the President and are supported by the Information Analysis and Infrastructure Protection Directorate of the Department. Specifically, the NIAC, comprised of private sector critical infrastructure and key resource business leaders, state and local government officials, emergency services officials and educators, was asked to explore ways to improve the information requirements definition processes and interaction between the intelligence community and critical infrastructure sectors. The NIAC plans to provide its recommendations to the President by the end of 2005.

From the perspective of DHS, do you believe that “Centers” in the intelligence community provide added value?

Response: Yes. Centers within the Intelligence Community (IC) can, and in the case of the Terrorist Threat Integration Center (TTIC)—now the National Counterterrorism Center (NCTC)—do provide important conduits for information sharing throughout the Federal Government and help to prevent the kind of miscommunication that occurred prior to the attacks of September 11, 2001.

Do you believe a new National Center to Counter Weapons of Mass Destruction Proliferation is needed?

Response: The Commission on the Intelligence Capabilities of the United States Regarding Weapons of Mass Destruction (the “Robb-Silberman Commission”), was created by Executive Order to examine the capabilities and challenges of the Intelligence Community (IC) to collect, process, analyze, produce, and disseminate information concerning the capabilities, intentions, and activities of such foreign powers relating to the design, development, manufacture, acquisition, possession, proliferation, transfer, testing, potential or threatened use, or use of Weapons of Mass Destruction, related means of delivery, and other related threats of the 21st Century. The Commission has been tasked by the President to assess whether the Intelligence Community is sufficiently authorized, organized, equipped, trained, and resourced to identify and warn in a timely manner of, and to support United States Government efforts to respond to, the development and transfer of knowledge, expertise, technologies, materials, and resources associated with the proliferation of

Weapons of Mass Destruction, related means of delivery, and other related threats of the 21st Century and their employment by foreign powers (including terrorists, terrorist organizations, and private networks, or other entities or individuals). The Commission has already done important work and will make valuable recommendations to the President regarding its findings in its report due March 31, 2005.

Secretary Ridge, when the 9/11 Chair and Vice Chair were before this Committee, I spent time questioning witnesses about Congress' intent when it established the Department of Homeland Security to solve the infrastructure information and intelligence integration problem.

I am an advocate of lessening bureaucracy and avoiding duplicity of effort with taxpayer funds. DHS' Information Analysis and Infrastructure Protection directorate has a clear statutory mandate, is putting its team together, and is distributing information to key customers through the Homeland Security Information Network.

The Terrorist Threat Integration Center (TTIC) was set up to have the primary responsibility in the U.S. Government for terrorism analysis (except information relating solely to purely domestic terrorism) and to be responsible for the day-to-day terrorism analysis provided to the President and other senior policymakers. All members of the intelligence community participate in its work, provide comprehensive information to its staff, and have a stake in its success.

What is the difference between your recommended National Counterterrorism Center and the TTIC?

Response: The National Counterterrorism Center (NCTC) created through Executive Order on August 27, 2004 will build upon the capabilities of the Terrorist Threat Integration Center (TTIC). In addition to serving as the primary organization in the United States Government (USG) for analyzing and integrating all intelligence possessed or acquired by the USG pertaining to terrorism and counterterrorism (excepting purely domestic counterterrorism information), the NCTC will conduct strategic operational planning for counterterrorism activities, assign operational responsibilities to lead agencies for counterterrorism activities, serve as the central and shared knowledge bank on known and suspected terrorists and international terror groups, and ensure that agencies, as appropriate, have access to and receive all-source intelligence support needed to execute their counterterrorism plans or perform independent, alternative analysis.

Do you believe that DHS will play a central role in the new National Counterterrorism Center?

Response: Yes. NCTC operates as a partnership of organizations, including the Department of Homeland Security (DHS). DHS analysts contribute the unique ability to understand intelligence information and its impact on State, territorial, tribal, local, and private sector elements. Integration of DHS analysts allows the NCTC to leverage DHS partnerships with the aforementioned elements, and threat information developed at NCTC will support the homeland security mission—optimizing information developed by DHS to better understand the domestic condition.” The Department will also play an appropriate role in NCTC’s Strategic Operational Planning function.

How can you guarantee this?

Response: NCTC’s success is dependent upon the contributions of its partners. DHS information expertise, personnel, and relationships are critical components of that success.

